

UNITED STATES DISTRICT COURT

for the

District of Colorado

United States of America)

v.)

RICHARD HOLZER)

Case No. 19-mj-00246-NYW)

Defendant(s)

CRIMINAL COMPLAINT

I am 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 November 1, 2019 in the county of Pueblo in the State and District of Colorado, the defendant(s) violated:

Code Section

Offense Description

Title 18, U.S.C. §§ 247(a)(2) and (d)(3)

Attempting to obstruct religious exercise by force using explosives and fire

This criminal complaint is based on these facts:

See Affidavit attached hereto and hereby incorporated by reference.

Continued on the attached sheet.

s/ John W. Smith

Complainant's signature

John W. Smith, Special Agent

Printed name and title

Sworn to before me and signed in my presence. submitted, attested to, and acknowledged by reliable electronic means.

Date: 02 Nov 2019

Nina Y. Wang

Judge's signature

Nina Y. Wang

United States Magistrate Judge

Printed name and title

City and state: Denver, Colorado

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, John W. Smith, Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, depose and state under penalty of perjury that the following is true to the best of my information, knowledge and belief.

1. I have been a Special Agent with the Federal Bureau of Investigation (FBI) since March 4, 2004. As part of my duties, I investigate criminal violations relating to terrorism and civil rights violations. I have received training and instruction in investigating these offenses and related criminal activity.

2. This affidavit is made in support of a criminal complaint charging that the defendant, RICHARD HOLZER, intentionally attempted to obstruct persons in the enjoyment of their free exercise of religious beliefs, through force and the attempted use of explosives and fire, in violation of Title 18, United States Code, Section 247(a)(2) and (d)(3).

3. The facts and information contained in this affidavit are based on my personal knowledge, as well as information provided to me by other law enforcement officers involved in this investigation. Except as explicitly set forth below, I have not distinguished in this affidavit between facts of which I have personal knowledge and facts of which I have hearsay knowledge. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of an arrest warrant for defendant RICHARD HOLZER, I have not set forth each and every fact learned during this investigation. Instead, I have set forth only those facts, in substance and in pertinent part, that I believe are necessary to establish probable cause.

FACTS AND CIRCUMSTANCES

4. I have been investigating potential violations of federal law by the defendant, RICHARD HOLZER, based upon his hate crime- and domestic terrorism-related activities set forth herein. I submit that the evidence developed during this investigation shows that the defendant's actions meet the definition of "domestic terrorism," in 18 U.S.C. § 2331, in that the defendant's actions involve criminal acts dangerous to human life and are intended to intimidate or coerce a civilian population.

The Defendant

5. RICHARD HOLZER is a 27-year-old male living in Pueblo, Colorado. Facebook records show HOLZER to have used several Facebook accounts to promote white supremacy ideology and acts of violence, including racially-motivated acts of violence, in direct messages and group chats with other like-minded individuals. For example:

- On September 3, 2019, HOLZER told another Facebook user, "I wish the Holocaust really did happen...they need to die."
- On August 27, 2019, HOLZER told another Facebook user, "I hate them with a passion. I told this nasty Jew to fuck off or I'll kill him."
- On July 17, 2019, HOLZER told another Facebook user, "I really, would like to go kill a bunch of Pedophiles and then die in a cop Shoot out."
- On July 11, 2019, HOLZER sent the following Facebook message to another Facebook user, "getting ready to cap people." The message included three pictures. The first picture shows HOLZER in a kitchen dressed in clothing displaying white supremacy symbols while aiming a long gun. The second picture shows HOLZER sitting with his back to a computer screen while holding a handgun in his right hand and a semiautomatic assault rifle in his left hand. The third picture shows HOLZER in what appears to be the same room as the prior picture holding a handgun in each hand, with the barrel of the handgun in his left hand touching his temple.
- On July 5, 2019, HOLZER told another Facebook user, "going to kill some spics...there's too many here (as expected) lol."

- On May 12, 2019, HOLZER sent a video to another Facebook user in which HOLZER says “. . . I’m just going to get dead by suicide by cop, so literally if I’m going to cause a shootout just die in it.”

Temple Emanuel

6. Temple Emanuel is a Synagogue serving a small congregation of Jewish families in Pueblo, Colorado. Its stated mission is to foster Jewish identity and ensure the survival of Judaism in a small community. Constructed in 1900, Temple Emanuel is the second-oldest synagogue in Colorado and is listed on the National Register of Historic Places.

FBI Online Covert Employee Contacts HOLZER

7. On September 28, 2019, an FBI Online Covert Employee (“OCE”) initiated contact with Richard HOLZER through one of his Facebook accounts. The OCE’s Facebook account portrays her¹ as a white female who is supportive of white supremacy ideology. She told HOLZER that Facebook suggested they be friends. HOLZER sent a picture of three buttons showing a swastika and two other symbols associated with white supremacy ideology. Shortly thereafter he sent pictures of himself wearing clothing with symbols and phrases associated with white supremacy. He stated that he lives in Colorado, used to be a member of the Ku Klux Klan (KKK), and is now a skinhead.

8. On September 28, 2019, Holzer asked the OCE to contact one of his other Facebook accounts, from which HOLZER sent another picture of himself with images related to white supremacy. HOLZER sent a video of himself showing him putting on a mask, grabbing a machete and saying, “May the gods be with me for what I must do.” In

¹ Gendered pronouns used for the OCE refer to the gender of the OCE’s online persona. This affidavit intentionally makes no representations as to the gender of the employee him/herself.

reference to that video, HOLZER stated, “I went after another pedophile. It’s something that I’ve actually enjoyed doing is killing them.” HOLZER also sent two pictures of himself with firearms, as well as pictures of himself and other individuals he identified as skinheads who report to him. HOLZER also sent a video of himself showing him holding a knife saying, “fuck antifa.” HOLZER later sent a video of himself urinating on the front door of what appears to be a Jewish center.

9. On September 29, 2019, HOLZER volunteered to the OCE that he previously paid a Mexican cook to “hex and poison a local Synagogue.” HOLZER stated that the cook put arsenic in the water pipes of the Synagogue on October 31, 2018.² HOLZER had previously recounted this incident to other individuals on Facebook. HOLZER explained that the man he paid was nicknamed “Mexican Hitler,” and that he agreed to poison the synagogue “for cheap” because he and HOLZER both do not like Jews. HOLZER stated to the OCE that he had gotten backlash from the “white movement” because he hired a Mexican to do the job, but said “What do they expect? You guys really want the Jews gone then sometimes you gotta improvise.” HOLZER stated that he paid the cook \$70. The OCE then asked HOLZER to “let me know when you have an activist event coming up,” and HOLZER responded with two videos that HOLZER appeared to have filmed previously showing Temple Emanuel in Pueblo, Colorado.

10. On October 3, 2019, HOLZER messaged the OCE, “I’m getting ready for RAHOWA,” meaning a racial holy war. When the OCE asked Holzer to “message me after

² I am aware of no evidence to corroborate HOLZER’s claim that the cook previously put arsenic in the Synagogue’s pipes.

we can talk about RAHOWA,” HOLZER responded by sending a voice recording in which he explained he was going to Temple Emanuel “to scope it out.”

11. On October 4, 2019, HOLZER told the OCE he was going to “[c]heck out the synagogue and see if any ants come out of the HILL.” HOLZER sent OCE a video showing Nazi propaganda, knives, and masks. Later that day, HOLZER sent a video to the OCE showing a woman outside of Temple Emanuel. In the video, HOLZER can be heard saying, “Oh shit. So this would mean the kikes are fucking going back into business here and uh we’ll have to fucking figure out what they’re going to do.” HOLZER then told the OCE that on October 31 he would again poison the Synagogue, possibly with arsenic. He invited the OCE to join him, and the OCE told him that she and some of her friends may be able to be there. HOLZER also listed some of his associates who he said may also be involved.

12. On October 10, 2019, the OCE told HOLZER that she had friends who would be in the area of Colorado Springs, Colorado, the following week. HOLZER expressed interest in meeting them.

13. On October 12, 2019, the OCE and HOLZER discussed HOLZER meeting with the OCE’s friends the following week. HOLZER stated that he might bring a friend of his. HOLZER also stated that everyone would need to wear masks “when we do the synagogue” to hide their identities. HOLZER also stated he intended to “[g]o out with a final act for the movement.”

FBI Under Cover Agent Contact with HOLZER

14. On October 12, 2019, an FBI undercover agent (UC-1) established contact with HOLZER, presenting himself as one of the friends the OCE mentioned to HOLZER. UC-1 told HOLZER that he and some friends planned to be in Colorado Springs, Colorado,

the following week and they discussed meeting in person. HOLZER sent several pictures of himself with various images, paraphernalia, and clothing associated with white supremacy and Nazi ideology.

15. On October 13, 2019, HOLZER explained to UC-1 his plan to poison the Synagogue in Pueblo on October 31, 2019. HOLZER continued to send images related to white supremacy and Nazi ideology. On October 15 and 16, 2019, HOLZER confirmed with UC-1 that HOLZER and his friend “Skeeter” would be able to meet that Thursday (October 17). On October 16, 2019, HOLZER sent a video of himself to UC-1 explaining that on October 31 they would wear masks when they poisoned the Synagogue with arsenic.

16. On October 17, 2019, three FBI undercover agents (UCs) met with HOLZER and “Skeeter” at a restaurant in Colorado Springs, Colorado. HOLZER brought various white supremacy paraphernalia as gifts for the UCs, including a flag, several patches, a metal Thor’s hammer, and a mask. Throughout the meeting HOLZER repeatedly expressed his hatred of Jewish people. HOLZER also stated that he believes in RAHOWA and explained RAHOWA is a Racial Holy War, based on the teachings of the church of the creator, founded by Matt Hale, who created that slogan to awaken white youth.

17. HOLZER recounted to the UCs that the year before, on October 31, a “witch doctor,” whom HOLZER had paid \$70, held a ritual in front of the synagogue in Pueblo and put arsenic in the water. HOLZER stated that the Synagogue was shut down for months after that and just recently reopened. HOLZER stated that people got sick from the arsenic and that he did not know if anyone died but he hoped so. HOLZER began talking about repeating the arsenic plan on October 31 of this year. He stated that his goal is to “make them know they’re not wanted here.” He stated that he wanted to shut the Synagogue down

and condemn it. HOLZER then volunteered different ways to accomplish his goal, other than with arsenic. He mentioned welding the doors shut and said he would be willing to put together Molotov cocktails. HOLZER stated that he wanted to “vandalize the place beyond repair” and ideally force the city to tear down the building. HOLZER was the first person to mention the use of explosives during the meeting – he brought up Molotov cocktails in response to one of the UCs asking an open-ended question about what other methods he was considering. Regarding the use of explosives, HOLZER told the UCs, “I’m as down as everybody else is . . . I want something that tells them they are not welcome in this town. Better get the fuck out, otherwise, people will die.” HOLZER complained that when he visits the Synagogue, “I see these little kike kids and they have their little toys, they have their ‘Jewla hoop’ shaped like a star.”

18. HOLZER, “Skeeter,” and the UCs then drove to Pueblo, to visit Temple Emanuel. HOLZER observed that Molotov cocktails likely would not work because “simply busting out the windows is not gonna be enough.” HOLZER and the UCs then discussed using pipe bombs. They discussed where they could place the pipe bombs, and HOLZER stated that he and “Skeeter” would go to the Synagogue when no one was there to try to determine where they could place explosives. The UCs offered to supply the pipe bombs, but cautioned that it would take some time because they would need to bring them in from out of state. HOLZER stated, “Let’s get that place off the map.” HOLZER also explained, “This is the big center here for them here in town. Thing is, why not hit the heart, right?” HOLZER said that he and “Skeeter” would come back when no one was around to further examine the building. HOLZER, “Skeeter,” and the UCs then went to a nearby park and took a picture of themselves holding a white supremacy flag.

HOLZER'S Continued Communications with the Under Cover Agents

19. On October 19, 2019, HOLZER sent a video to UC-1 of HOLZER walking around the exterior of Temple Emanuel and commenting on various features of the building. Later that day, in a phone call, he told UC-1 that he wanted to put the Synagogue on the ground and demolish it. He also explained that the attack on the Synagogue would be “phase two” and that “phase three” would be outside of Pueblo and “bigger and better.”

20. On October 19, 2019, in a group chat between HOLZER and the three UCs, one of the UCs (UC-2) said, “Let me know what you want the end result to look like and I’ll get to work.” On October 20, 2019, HOLZER responded with a picture of a church, half of which has crumbled to the ground, and stated, “Let’s have it look something like that.” HOLZER also sent a picture of an anti-Semitic caricature of a Jewish man.

21. On October 21, 2019, in the group chat, UC-2 stated that he was in the process of collecting supplies. HOLZER responded with a picture showing a Halloween mask and various white supremacy paraphernalia, including the book “Mein Kampf” and a flag or armband with a Nazi swastika. He wrote, “Everyone have a mask for “TRICK OR TREATING” followed by a skull and cross bones emoji, “If not, I got extras,” and “Skeeter will need one and I’ll hook him up.”

22. On October 23, 2019, UC-2 sent two pictures to the group chat of what appear to be pipe bombs and the message “wanted to show you a little progress. Prepped several of these last night.” HOLZER responded “Sieg Heil brothers.” Later, HOLZER sent an audio file to the group chat relaying that he had talked to “Skeeter” and “he’s absolutely elated about this, as am I. And I’m honored to be a part of history and, more importantly, the future of our folk. Heil.”

23. On October 27, 2019, HOLZER sent an audio file to the group chat in which he stated “Hey guys, I’m in front of you know where. And the lights are on in the building and there’s definitely movement in there. That means, like, literally they’re definitely back in business. So it’s a good thing we’re going to do what we’re going to do.”

HOLZER’S Second Meeting with UC-1

24. On October 31, 2019, HOLZER met again with UC-1. They discussed the plan to attack the Synagogue and agreed that HOLZER would meet with the UCs at a motel around 9pm on November 1 and examine the explosives before going to the Synagogue. At HOLZER’s request, they went to a store to purchase gloves to use during the attack. HOLZER repeatedly affirmed that he was prepared to go through with the attack the following night. When UC-1 raised the possibility of someone being inside the Synagogue when they set off the explosives, HOLZER stated that he did not think anyone would be there but that if they were, HOLZER would not care because they would be Jews.

HOLZER Receives Explosives to Use Against Temple Emanuel

25. The evening of November 1, 2019, UC-1 picked HOLZER up and drove him to the motel, where UC-2 and UC-3 were waiting. During the drive HOLZER was animated and displayed a Nazi armband. When they arrived at the motel, HOLZER addressed the UCs: “I wanted to thank each and every one of you for your time here tonight, I want to thank you for your utmost effort. Like, this is a move for our race. One of these days, we’re probably gonna do something where one of us, couple of us even, probably won’t come back.” HOLZER removed several items from a backpack he was carrying, including a knife, a mask, and a copy of “Mein Kampf.” UC-2 showed HOLZER two pipe bombs and two bundles each containing seven sticks of dynamite. HOLZER examined the explosives and

declared, “this is absolutely gorgeous.” HOLZER then explained that they should carry out the attack at 2:30 or 3:00 in the morning, to avoid the police.

26. Though the UCs told HOLZER that the pipe bombs and dynamite were functional and “high-grade explosives,” they were all inert. The UCs also told HOLZER that UC-2 and UC-3 brought the pipe bombs and dynamite to Colorado from out of state. In fact, the dynamite and simulated black powder contained within the pipe bombs were shipped to Colorado from Quantico, Virginia, by the FBI in order to offer them to HOLZER.

HOLZER Is Arrested and Confesses to Attempting to Blow Up Temple Emanuel

27. HOLZER was arrested and transported to a police station where he waived his Miranda rights and agreed to speak with the FBI. HOLZER admitted that he had been planning to blow up a Synagogue that night with the pipe bombs and dynamite in the motel room. He referred to the plan as “my mountain” and to Jews and the Synagogue as a “cancer” to the community. Although HOLZER stated that he had not planned to hurt anyone, when asked what he would have done if there had been someone inside the Synagogue when he arrived that night, he admitted that he would have gone through with the attack because anyone inside would be Jewish.

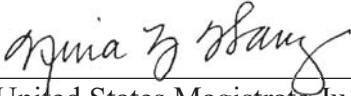
CONCLUSION

28. Based on the foregoing, there is probable cause to believe that on or about November 1, 2019, RICHARD HOLZER violated 18 U.S.C. § 247(a)(2) and (d)(3) (attempting to obstruct religious exercise by force using explosives and fire). Accordingly, I respectfully request that the Court issue an arrest warrant and a complaint charging RICHARD HOLZER with this crime.

Dated: November 2, 2019

s/ John W. Smith
Special Agent
Federal Bureau of Investigation

Submitted, attested to, and acknowledged by reliable electronic means on
November 2 _____, 2019.



United States Magistrate Judge
United States District Court
District of Colorado

Affidavit reviewed and submitted by Julia Martinez, Assistant United States Attorney.

DEFENDANT: Richard HOLZER

YOB: 1992 **AGE 27**

OFFENSE(S): 18 U.S.C. § 247(a)(2) and (d)(3) (Attempt to Obstruct Persons in the Enjoyment of Their Free Exercise of Religious Beliefs, Through Force and the Attempted Use of Explosives and Fire)

LOCATION OF OFFENSE: Pueblo, Colorado

PENALTY: NMT 20 years imprisonment, NMT \$250,000 fine or both; NMT 3 years supervised release; \$100 special assessment

AGENT: SA John Smith, FBI

AUTHORIZED BY: Julia Martinez
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

X five days or less ___ over five days ___ other

THE GOVERNMENT

X will seek detention in this case based on 18 U.S.C. § 3142(f)(1)

___ will not seek detention

The statutory presumption of detention is applicable to this defendant.