

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
Kevin Brent Buchanan



Defendant(s)

Case: 1:23-mj-00313
Assigned to: Judge Meriweather, Robin M.
Assign Date: 11/14/2023
Description: COMPLAINT W/ ARREST WARRANT

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 October 31, 2023 in the county of Washington in the
District of Columbia, the defendant(s) violated:

Code Section
Title 18, United States Code,
Section 875(c)

Offense Description
Interstate Transmittal of Threats

This criminal complaint is based on these facts:
See attached statement of facts.

Continued on the attached sheet.

Signature of Michael Biscardi
Complainant's signature

Michael Biscardi, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/14/2023

Judge's signature

City and state: Washington, D.C

Robin Meriweather, USMJ
Printed name and title

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA)

) **SEALED**

v.)

) Case: 1:23-mj-00313

) Assigned to: Judge Meriweather, Robin M.

KEVIN BRENT BUCHANAN,)

) Assign Date: 11/14/2023

) Description: COMPLAINT W/ ARREST WARRANT

Defendant.)

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Michael Biscardi, being duly sworn, affirm and state:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have held this position since January 2017. I am currently assigned to a squad that investigates alleged criminal public corruption violations, civil rights violations, and fraud against the government at the Washington, D.C. Field Office of the FBI. I have been assigned to investigate the instant matter, which involves a series of threats against an organization in Washington, D.C. that advocates for Palestinian rights (“Organization 1”) that were left on Organization 1’s voicemail.

2. This affidavit is submitted for the purpose of establishing probable cause. The facts in this affidavit are based on my investigation, personal observations, training, and experience, as well as information conveyed to me by other law enforcement officials. Because this affidavit is limited in purpose, it is not intended to include each and every fact and matter observed by me or known to the United States.

PURPOSE OF AFFIDAVIT

3. This affidavit is submitted in support of a criminal complaint charging the defendant, KEVIN BRENT BUCHANAN (hereinafter “BUCHANAN”), with Interstate Transmittal of Threats, in violation of Title 18, United States Code, Section 875(c). This affidavit is also submitted in support of an arrest warrant for BUCHANAN.

STATEMENT OF FACTS

The Interstate Threats

4. On or about October 31, 2023, at approximately 3:48pm, an unknown caller with the phone number and caller identification number (385) 380-7475 (“phone number x7475”) dialed the main phone line of Organization 1, which is an advocacy organization group focused on Palestinian rights located in Washington, D.C. When nobody answered the call, the caller was routed to a voicemail box. The unknown caller left a message on Organization 1’s voicemail inbox stating “Don't think we're not watching you. We know who you are, who your families are. I'm glad you're sticking your ugly heads up Palestine. Well, you know what, you're being cataloged. You're being photographed. We're gonna know who your families are. We're gonna know where you live. You're gonna be tracked. You're fucking D.M.W – that means dead man or woman walking. You are the enemy. You are a threat to the national security of the United States, and you are fucking going to get what's coming to you very, very, very soon, you pieces of Palestinian shit... Come to middle America and try to do what you're doing. You pieces of sacks of shit. Dead person walking. That's all you are, pieces of shit. You're gonna die.”

5. On November 1, 2023, Organization 1 received two additional voicemail messages from phone number x7475. Both of these messages contained similar content to the voicemail

message that had been received from the same phone number on October 31. For instance, in one of the messages the caller stated, “you are a small fucking minority, and you are dead. You are fucking stinking rotten pieces of shit. I can hardly wait until the balloon goes up. . . . This is a war against Islam. We are going to wipe them the fuck out. . . . I’m glad you’re showing your face because we’re documenting you, your families, and everything. . . . You’re not Americans. You’re traitors. And you’re going to fucking die. You are going to fucking die. You shit heads. . . . Palestinians are going to die. By the hundreds of thousands. . . . You’re just all kinds of fucked up and stupid, and that’s why you’re going to die.”

6. In the other November 1, 2023, message, the caller stated, “Guess what motherfuckers? You stinking piece of shit terrorists. You are a threat to the national security of the United States. Well guess what? The Hells Angels have silently declared war on you. So you just go ahead and parade around, do what you want, but you’re marked. You’re dead people walking. You’re all gonna fucking die because you’re enemies of the United States. . . . You are fucking traitors and you’re gonna die. And I’m gonna love it. So are your families, motherfucker pigs.” Based on this investigation I know that Organization 1 had planned a public demonstration in Washington, D.C. on November 4, 2023 to advocate for Palestinian rights.

7. On November 2, 2023, Organization 1 received two more voicemails from phone number x7475. In one of the messages, the caller stated, “You know, people are following you. They’re watching your families. I hope your families get raped. I hope your wives and children get raped and beheaded. I really do. . . . Keep in mind. You’re a minority in America. . . . I’m gonna fucking burn the goddamn Koran. What are you going to fucking do to stop me? You call me back you brave defenders of Palestine. Those chicken shits [indecipherable] in Iraq killed

plenty of them . . . You guys are going to die. You guys are going to die violently. You guys are enemies of the United States. . . .”

8. In the other November 2, 2023 message, the caller stated, “You lying sack of shit. You’re afraid to answer the phone because you’ve been overwhelmed by death threats. This isn’t a death threat. Everybody’s gonna die. And you motherfuckers are gonna die. You pieces of shit. Israel’s god’s chosen people. Islam is [indecipherable]. . . You know what? I hope every Muslim in the United States fucking croaks. I hope there’s a battle between Christianity and Islam because Christian—and Judaism—. . . because Jews and Christians will kick their ass. I fought in Iraq. I fucking happen to know a punk ass chicken shit when I see one. So you either call me back and arrange a meeting ‘cause you’re fucking full of shit man. You’re the enemy. You’re the enemies of this country. You’re a threat to me and my family. But you know what? Your families are going to be followed and watched. Every time you have a meeting we are going to infiltrate your organization. . . know who your families are, your mothers, your fathers, your sisters, brothers, and so forth and so forth. I would be deathly afraid if I were you. You are all going to fucking die you pieces of shit. Traitors. You don’t even belong in America. . . .”

9. Based on my review of the recorded voicemail messages described above, the caller in each instance sounds like a male voice, and it sounds like the same person left all five of the messages.

Identification of Kevin Buchanan

10. On October 31, 2023, a staff member of Organization 1 checked the first voicemail described above and listened to the message. The staff member reported the message to co-workers. Members of Organization 1 then contacted another advocacy group that is focused on

anti-discrimination of American-Arabs (herein referred to “Organization 2”). Organization 2 contacted the U.S. Department of Justice to request assistance from the FBI on investigating the threatening statements made to Organization 1. The FBI received the request for assistance on the morning of November 1, 2023.

11. On November 1, 2023, using tools available to law enforcement and authorized by law, the FBI requested and received emergency situation disclosure information regarding phone number x7475 from Verizon, the carrier of the phone number, due to the exigent nature of the case and the potential threat to life. Verizon provided information that the provider of the phone number was TracPhone Wireless, a non-contract phone mobile phone provider, provided 48 hours of GPS “ping” data for the mobile phone using phone number x7475, and provided historical records.

12. The GPS “ping” data that Verizon provided to the FBI has identified the phone to be in the area of Tooele, Utah. Based upon information known to law enforcement, BUCHANAN is believed to live in that city.

13. On November 1, 2023, using tools available to law enforcement and authorized by law, the FBI requested emergency situation disclosure information regarding phone number x7475 from TracPhone Wireless, the mobile phone provider, due to the exigent nature of the case and the potential threat to life. TracPhone provided information on the phone identification numbers, known as the International Mobile Equipment Identity (herein referred to as “IMEI”) and International Mobile Subscriber Identity (herein referred to as “IMSI”), and where the phone was purchased. Information revealed that the TracPhone was purchased at Walmart retail store located in Tooele, Utah.

14. On November 2, 2023, the FBI obtained business records from Walmart, to obtain information on the purchase details of the TracPhone with phone number x7475. Walmart subsequently provided records which revealed that the purchaser used an American Express credit card with credit card number ending in x2008 to purchase the TracPhone.

15. On November 2, 2023, the FBI obtained business records from American Express, which requested account holder information on the credit card ending in x2008. American Express provided records that revealed that the account holder of the credit card ending in x2008 was KEVIN BRENT BUCHANAN.

16. Based on the foregoing, your affiant submits that there is probable cause to believe that KEVIN BRENT BUCHANAN violated Title 18, United States Code, Section 875(c), which makes it a crime to transmit threats of physical harm in interstate commerce.

CONCLUSION

17. Based on my training and experience, and the information provided in this affidavit, there is probable cause to believe that on or about October 31, November 1, and November 2, 2023, in the District of Columbia and elsewhere, KEVIN BRENT BUCHANAN did knowingly and willingly commit the offense of Interstate Transmission of Threats, in violation of Title 18, United States Code, Section 875(c).



SPECIAL AGENT MICHAEL BISCARDI
FEDERAL BUREAU OF INVESTIGATION

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF FED. R. CRIM. P. 4.1 BY TELEPHONE, THIS 14th DAY OF NOVEMBER, 2023.

ROBIN M. MERIWEATHER
6 U.S. MAGISTRATE JUDGE