

TAPED TELEPHONIC SEARCH WARRANT  
CASE #110108078

LEGEND: Q. DET. HOGAN A. JUDGE BROWNING

---

1  
2  
3  
4  
5 A. Thank you.

6 Q. Okay, and I'm recording. Um, uh, Judge Brown, this is Detective Hogan of the Sheriff's  
7 Department's. Will you swear me in, please?

8 A. Yes, do you swear the information you are about to provide is the truth, the whole truth  
9 and nothing but the truth, so help you God?

10 Q. I do, Your Honor. Um, this is Deputy Hogan, Badge 1233, of The Pima County Sheriff's  
11 Department. I am calling you on January 8, 2011, with Detective Parenteau, Badge 1007,  
12 standing by as a witness. The time now is approximately, uh, 1535 hours.

13 Uh, I am calling for a Telephonic Search Warrant and have just, probable and reasonable  
14 cause to believe that there is now:

15 I've checked, uh:

16 On the person of Jared Lee Loughner, L-O-U-G-H-N-E-R, birth date [REDACTED]

17 I've checked:

18 On the premises known as [REDACTED], a, um, a one story home made of  
19 beige block and tan, with, uh, brown trim and the numbers [REDACTED] on the mailbox out front.  
20 Uh, to include any outbuildings on the curtilage.

21 And I've also checked:

22 In the vehicles described as a green in color Chevy, license plate, Golf, Papa, November,  
23 621, uh, last, uh, with a VIN number of 113279, Whiskey, 402651,

24 Uh, or any other vehicles located within the curtilage of the Soledad Avenue address or  
25 within the garage.

26 Um, uh, the following property to-wit: Any firearms, firearm parts, holsters, gun cases,  
27 ammunition, spent casings, gun cleaning kits, or firearm related paperwork or periodicals.  
28 Can, can you still hear my, Your Honor?

29 A. Yes.

30 Q. Okay. Any cellular telephones or associated media and storage to include complete  
31 forensic analysis and viewing of contents. Uh, any computers, hard drives, thumb drives,  
32 disks, memory cards or computer associated storage and media to include forensic  
33 analysis and viewing of contents. Uh, any notes, journals, ledgers, CD's, mu-, or movies.  
34 Any writings or correspondence that would indicate participation, motive or preplanning  
35 for this crime. Uh, any books, periodicals, uniforms, photographs or other paraphernalia  
associated with extremism or anti-government movements. Uh, indicia of occupancy or

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED]  
AND ALL VEHICLES - CASE #110108078

2

1 ownership to include, but not limited to, bills, mail, photographs, writings, personal items  
2 with names on them. Uh, complete set of physical characteristics on Jared Lee Loughner,  
3 L-O-U-G-H-N-E-R, [REDACTED], birth date, to include buccal cell swabs for DNA, major  
4 case fingerprinting, photographing of subject. Uh, complete forensic processing of Jared  
5 Lee Loughner, to include, but not limited to, collection of all clothing he is wearing,  
6 processing for trace evidence such as swabbing of hands and person. And photographing  
7 of person and future forensic analysis of all evidence obtained, uh, from his person or  
8 other evidence, uh, gathered in this case

9 Uh, together with other fruits, instrumentalities and evidence of the crimes of: Violation  
10 of Arizona Homicide Laws.

11 As set for in this Affidavit, I, Deputy Hogan, Badge 1233, your Affiant, am a Peace  
12 Officer in the State of Arizona. I have been employed with the Pima County Sheriff's  
13 Department since August 1998 and have the following training and experience.

14 I attended the Southern Arizona Law Enforcement Training Center Basic Academy, The  
15 Pima County Sheriff's Department Advanced Academy, The Pima County Sheriff's  
16 Department Detective Training Course. I have attended numerous, uh, trainings within  
17 the Department, uh, which we attend on, uh, annual basis several times a year from  
18 various, uh, areas including crime scene processing, interview and interrogation, uh, and  
19 current, uh, investigative procedures. Uh, I've also been to training outside of the  
20 Department to include in, crime scene, uh, analysis and processing, interview and  
21 interrogation. I've been, uh, with the Sheriff's Department since '98. I worked for, on  
22 street pa- patrol for approximately three years on the South Side District, uh, making  
23 arrests of vary, investigating all types of crimes, uh, up to and including homicides. I  
24 then became a Detective with the Sheriff's Department, where I worked with the  
25 Domestic Violence Unit. I then went to the Robbery/Assault Unit where I worked, uh,  
26 any kind of robbery, home invasion, bank robbery, store robbery or shooting. I then went  
27 to the Homicide Unit. Uh, I spent five years with the Homicide Unit, uh, investigating,  
28 uh, over 100 to 125 homicides of various types, uh, where we in, uh, I have processed  
29 multiple crime scenes, uh, conducted interviews and gathered and analysed evidence. I  
30 was then a member of the Fugitive Investigative Strike Team locating fugitives for  
31 approximately a year and half and currently am back with the Homicide Unit.

32 I have obtained Search Warrants on numerous occasions in the past, including, uh,  
33 regards to evidence requested, uh, to search for in this case. And, uh, this evidence has  
34 been, uh, used throughout the prosecution phase, uh, in various investigations.

35 I am investigating the crimes of Violation of Arizona Homicide Laws, which I believe to  
36 have been committed on or about the 8<sup>th</sup> day of January, 2011 in Pima County, based  
37 upon the following reasons:

38 Q. Uh, can you still hear me okay, Your Honor?  
39 A. Yeah, I've got you, fine.

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED]  
AND ALL VEHICLES - CASE #110108078

3

1 Q. Okay. On today's date, Saturday, January 8, 2011 at approximately 10:11 a.m., The  
2 Pima County Sheriff's Department began to received multiple 911 calls about a shooting  
3 situation at the Safeway Shopping Plaza at 7170 North Oracle Road, the southeast corner  
4 of Ina and Oracle. Uh, many of these calls indicated an active shooting situation and  
5 Patrol Deputy response was initiated.

6 Un, Deputies arrived at, a extremely short time after the call was dispatched. Uh, when  
7 Deputies arrived in front of the Safeway, they encountered numerous victims in the case  
8 and found several civilians on top of and containing a male subject, later identified by  
9 Arizona driver's license, as Jared Lee Loughner, L-O-U-G-H-N-E-R, uh, [REDACTED],  
10 target listed in this warrant.

11 Deputies approached and were able to detain Mr. Loughner at the scene. Uh, multiple  
12 witnesses at the scene indicated Mr. Loughner had been armed with a handgun, uh,  
13 approach the Safeway and began shooting at people in front of the Safeway. A handgun  
14 was located by Deputies next to Mr. Loughner on the ground. And these witnesses also  
15 indicated, uh, Mr. Loughner had been armed with this specific gun when they tackled and  
16 disarmed him, holding him down until Deputies arrived.

17 Uh, in Mr. Loughner's left front pocket, Deputies located two handgun magazines with  
18 rounds in them. And he was found to be wearing ear plugs at the time he was detained. I  
19 believe, uh, these, this is indication of preplanning and further indication, uh, that, uh,  
20 other evidence will be located.

21 At the scene in front of the Safeway, multiple people were found to have been wounded.  
22 A triage of the injured had, was begun and several were transported to local hospitals.  
23 Uh, at the scene, five victims were pronounced deceased in front of the Safeway.  
24 Multiple spent cartridge casings were located in front of the Safeway and this scene is  
25 being processed. Other victims were transferred to hospitals and the outcome on their  
26 status is still pending.

27 In Mr. Loughner's back pocket was located his Arizona driver's license. This license  
28 lists an address of [REDACTED]. Um, and this is the target address listed  
29 in, uh, this Warrant, Your Honor. Um, various computer checks have been done on Mr.  
30 Loughner and the address. He has listed this address as his home address on past  
31 contacts with the police.

32 Deputies responded today to the Soledad address after the shooting and contacted Mr.  
33 Loughner's parents inside the home. They confirmed to Deputies that he does, indeed,  
34 live at that address at this time. He has a bedroom there and also has complete access to  
35 the home and yard and garage where there is a, uh, vehicle inside the garage. Uh, they  
36 also told Deputies the following facts:

37 Uh, the morning of the shooting, earlier this morning, Mr. Loughner left the home in his  
38 green Chevy Nova listed in this Warrant. He came back some time later and the parents  
39 saw him removing a black bag or black backpack from the trunk of his Nova. He went

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED]  
AND ALL VEHICLES – CASE #110108078

4

1 inside the home and the parents tried to talk to Mr. Loughner in the home. He would not  
2 talk to them. And he eventually took off running from the home north and then east. Uh,  
3 the Safeway is east from Mr. Loughner's home. The pa-, uh, the description of him and  
4 what he was wearing matches, uh, what he is wearing at the time he was detained at the  
5 Safeway.

6 The parents state Mr. Loughner is known to maintain journals and writings inside the  
7 home and these items should be in the house. Uh, he is also known to have a shotgun  
8 that, at this time, is locked in the trunk of the car inside the garage. Specifically, I have  
9 listed any other vehicles in the garage or curtilage, as we cannot obtain a plate or vehicle  
10 at the time, uh, in the garage on this car. Uh, he is also known to use a cellular telephone  
11 to communicate. Uh, he also has a computer in the home and, uh, which is currently  
12 located in the kitchen and specifically, a video he recently made, may be on the  
13 computer, per the parents. They described this as a video he made about the First  
14 Amendment that, uh, caused him to be dismissed from Pima Community College. Uh, all  
15 this may be evidence of preplanning, uh, of this incident.

16 Uh, computer checks on Mr. Loughner have determined the following: Uh, he has a past  
17 contact with The Pima County Sheriff's Department where he was spray painting, uh,  
18 extremist, ty-, extremist type symbols on a wall. He has had, also, had numerous recent  
19 contacts with Pima Community College Police and Pima Community College officials.  
20 These contacts indicate extreme behavior to the point that he was dismissed from the  
Pima Community College over the video he made about the First Amendment.

22 Um, a check over the Internet, after the shooting, by running Mr. Loughner's name, also  
23 located a MySpace account in the name of Jared Loughner. This MySpace, uh, had anti-  
24 government postings and specifically, earlier this morning, has a recent posting saying  
25 goodbye. Uh, regarding cellular telephones and their analysis requested, based on my  
26 training and experience, cellular telephones and their contents can contain evidence and  
27 can be used to further an investigation. I have obtained and analysed cellular telephones  
28 in the past and have located text messages, photographs and videos detailing crimes, uh,  
29 their commission or their planning. This includes texts talking about crimes and  
30 photograph taking in preparation for, uh, committing a crime.

31 In this case, there's a pattern of preplanning, uh, as I have indicated by the actions of Mr.  
32 Loughner as well as other, uh, items. And the cell phone, cellular telephone, uh, use  
33 would indicate evidence may be located on any phones we do find, uh, regarding  
34 computers and associated items. Based on my training and experience, computers and  
35 computer related storage and media can be, contain evidence and be used to further an  
36 investigation.

37 I have seized and have analyzed computers in the past and evidence such as emails,  
38 photographs and videos related to planning and commission of crimes has been located.  
39 Also, specific to this incident, information already located on public areas of the Internet  
40 (ph), Internet such as MySpace, indicates Mr. Loughner uses computers and any

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED]  
AND ALL VEHICLES – CASE #110108078

5

1 computers located may contain evidence of this crime and it's planning. This is, uh,  
2 supported by the statements of his parents and their observations of him in the home.

3 Also, I and the other Deputies and Agents involved, have had training and experience  
4 dealing with extremist groups and extremist individuals. These individuals and groups  
5 are known to educate themselves and communicate through the Internet. They are also  
6 known to publish periodicals and often times create writings about their views and plans.  
7 Uh, Mrs, Mr. Loughner's recent contacts and Police, with Police and school officials  
8 indicate a pattern consistent with this type of extremism. Uh, the, uh, the also, the  
9 statements of Mr. Loughner's parents, uh, regarding writings indicate, uh, there may be,  
10 uh, such items in the home.

11 Regarding physical characteristics and forensic processing of Mr. Loughner, uh, multiple  
12 witnesses have identified Mr. Loughner as the shooter in this situation. And scene  
13 analysis and witness statements indicate he was close to the victims at the time of, he was  
14 shooting. He was also eventually tackled and held down by victims in this case, one of  
15 which, uh, at this time, we believe to have been wounded.

16 All this would indicate evidence may be located on his person or clothing. Evidence such  
17 as the weapon and casings have also been located at the scene. These items may reveal  
18 forensic evidence such as fingerprints and DNA. Obtaining physical characteristics from  
19 Mr. Loughner will allow comparison to these items. Uh, as of the time of this Search  
20 Warrant, Mr., uh, Loughner has not made a statement to the police.

21 Q. Um, can you still hear me okay, Your Honor?

22 A. I've got you.

23 Q. Okay. Um, uh. Let's see. Based upon the preceding facts, I, Deputy Hogan, request that  
24 a Telephone Search Warrant be issued. I also request that you consider this Affidavit and  
25 incorporate it into the Warrant itself.

26 Q. Uh, this concludes my Affidavit, Your Honor.

27 A. All right. I will authorize the Warrant.

28 Q. Okay. I will now read, verbatim, to you the Standard Arizona Duplicate Original Search  
29 Warrant, State of Arizona. Is it okay if I just indicate which spaces I have checked?

30 A. Yeah. I was gonna tell you, you can indicate only the ones you've checked. And you  
31 can, um, incorporate the Affidavit by reference. You don't need to re-read that.

32 Q. Okay. Thank you, Your Honor. Um.

33 **STANDARD ARIZONA DUPLICATE ORIGINAL SEARCH WARRANT**  
34 **STATE OF ARIZONA, COUNTY OF PIMA, STATE OF ARIZONA**

35 To any peace officer in the State of Arizona:

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED] 6  
AND ALL VEHICLES - CASE #110108078

1 Uh, proof of Affidavit having been made this date before me by Detective Chris Hogan,  
2 PCSD, #1233, I am satisfied that there is probable cause to believe that:

3  On the persons of Jared Lee Loughner, [REDACTED]

4  On the premises known as [REDACTED], one story home made  
5 of beige block with brown trim. The numbers [REDACTED] on the mailbox out front.  
6 To include any outbuildings on curtilage.

7  In the vehicles described as a green in color Chevy, license plate, Golf, Papa,  
8 November, 621. The VIN is 113279, Whiskey, 402651,

9  Or any other vehicles in the garage or curtilage

10 In the County of Pima, State of Arizona, there is now being processed or concealed  
11 certain property or things described as: and I'm gonna read the list, Your Honor. Okay?  
12 A. That's fine.

13 Q. Okay.

14 A. Go ahead.

15 Any firearms, firearm parts, holsters, gun cases, ammunition, spent casings, gun cleaning  
16 kits, or firearm related paperwork or periodicals. Any cellular telephones or associated  
17 media, media and storage, to include complete forensic analysis and viewing of contents.  
18 Any computers, hard drives, thumb drives, disks, memory cards or computer associated  
19 storage and media, to include forensic analysis and viewing of contents. Any notes,  
20 journals, ledgers, CD's, movies, writings or correspondence that would indicate  
21 participation, motive or preplanning for this crime. Uh, any books, uh, periodicals,  
22 uniforms, photographs or other paraphernalia associated with extremism or anti-  
23 government movements. Indicia of occupancy or ownership, to include, but not limited  
24 to, bills, mail, photographs, writings, personal items with names on them. Complete set  
25 of physical characteristics on Jared Lee Loughner, [REDACTED], to include buccal cell  
26 swabs for DNA, major case fingerprints, photographing of subject. Complete forensic  
27 processing of Jared Lee Loughner, [REDACTED] to include, but not limited to, collection  
28 of all clothing he is wearing, processing for trace evidence such as swabbing of hands and  
29 person, photographing of person and future forensic analysis of all evidence obtained.

30 STANDARD ARIZONA DUPLICATE ORIGINAL SEARCH WARRANT  
31 STATE OF ARIZONA

32 Which property or things:

33 I've checked:

34  Were used as a means for committing a public offense.

35  Is being possessed with the intent to use it as a means of committing a public  
36 offense.

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED]  
AND ALL VEHICLES - CASE #110108078

7

1 I've checked:  
2  X  Consists of any item or constitutes any evidence which tends to show that  
3 a public offense has been committed, or tends to show that a particular person  
4 committed the public offense.

5 I've checked:  
6  X  In the daytime, excluding the time period between 10:00 p.m. and 6:30 a.m.

7 And I've checked:  
8  X  And if you find the same or any part thereof, to retain such in your custody or in  
9 the custody, uh, of the agency you represent, as provided by, uh, A.R.S. Section,  
10 uh, 13-3920.

11 Return this Warrant to me within three (3) court business days after execution as directed  
12 by A.R.S. Section 13-3918.

13 Given under my hand and dated this 8<sup>th</sup> day of January, 2010.

14 Q. Um, how would you like me to sign your name, Your Honor?  
15 A. Christopher Browning.

6 Q. Okay. And I'm gonna put Judge, uh, Pima County Superior Court. The time now is  
7 approximately, um, 1550 hours. Uh, 1550 hours. And the date is Jan-, 1-8 of 2011. I'll  
18 sign and have Detective sign. Can you hold on one second, Your Honor?  
19 A. Yeah. Did you say, you said January 8<sup>th</sup>, right?

20 Q. Yeah.  
21 A. Oh, I thought you said January 1.

22 Q. Yeah, today is January 8, 2011.  
23 A. Correct.

24 Q. I signed. I dated it. And the time is 1550 hours.  
25 A. And you have the witness signing as well.

26 Q. I am signing right now. And I'm having the witness, uh, sign right now. And can you  
27 hold on one second while I turn off the tape recorder and check everything?  
28 A. Yeah.

29 Q. Okay.  
30 A. Okay. Yes.

31 AFFLIANT:

WITNESS:

32  NOT REVIEWED   
33 DET. HOGAN #1233

DET. PARENTEAU #1007

SEARCH WARRANT OF JARED LEE LOUGHNER, [REDACTED]  
AND ALL VEHICLES - CASE #110108078

8

1 TRANSCRIBED BY:  
2 ROSEMARY SANFORD, JANUARY 10, 2011



FILED  
PATRICIA A. NOLAND  
CLERK, SUPERIOR COURT

11 JAN 11 AM 10:02

ARIZONA SUPERIOR COURT, PIMA COUNTY

JUDGE: HON. CHRISTOPHER BROWNING

CASE NO. 11 SW 0026  
E. WANDELL, DEPUTY

DATE:

January 11, 2011

IN RE THE MATTER OF:

10 SW 0026

---

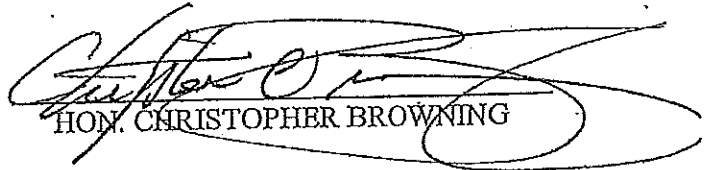
**ORDER**

---

**IN CHAMBERS:**

No parties are present.

**IT IS ORDERED** that the Warrant, Affidavit and Return be sealed until further order of the Court.



HON. CHRISTOPHER BROWNING

cc:

Clerk of Court - Criminal Desk

Rhonda Lowery  
Judicial Administrative Assistant

ORIGINAL

FILED  
PATRICIA A. NOLAND  
CLERK, SUPERIOR COURT  
11 JAN 11 AM 10:02

IN THE SUPERIOR COURT  
COUNTY OF PIMA, STATE OF ARIZONA

D. WANDELL, DEPUTY

State of Arizona

vs.

Jared Lee Loughner

Affidavit For Search Warrant Number

11 SW 0026

The undersigned, being first duly sworn and says that for the reasons set forth herein, he believes that:

On the person(s) of:

Jared Lee Loughner [REDACTED]

On the premises or building(s) known as:

[REDACTED] A one story home made of beige block with brown trim. The numbers [REDACTED] on the mailbox out front. To include any out building on curtilage.

In the vehicle(s) described as:

A green in color Chevy, with AZ license plate, GPN-621 with V.I.N. # 113279W402651 currently on [REDACTED], or any other vehicles in the garage of the [REDACTED] address or on curtilage.

That there is property, things or person(s) which:

Property which was stolen or embezzled

Property used as a means of committing a public offense

Property or things in the possession of a person having the intent to use them as a means of committing a public offense.

Property or things in the possession of \_\_\_\_\_ which was delivered to him by \_\_\_\_\_ for the purpose of concealing it or preventing it from being discovered

Property or thing which constitutes any item of evidence which tends to show that a public offense has been committed or tends to show that a particular person committed the public

11 SW 0026

offense.

Property to be searched and inspected by an appropriate official, to wit \_\_\_\_\_ in the interest of the public health, safety, or welfare as part of an inspection program authorized by law

\_\_\_\_\_, who is the subject of an outstanding arrest warrant

That property, person(s), or thing is described as:

Any firearms, firearm parts, holsters, gun cases, ammunition, spent casings, gun cleaning kits, or firearm related paperwork or periodicals.

Any cellular telephones or associated media and storage to include complete forensic analysis and viewing of contents.

Any computers, hard drives, thumb drives, discs, memory cards, or computer associated storage and media to include forensic analysis and viewing of contents.

Any notes ledgers, journals, writings, or correspondence that would indicate motive, participation or planning of this crime

Any books, periodicals, uniforms, photographs or other paraphernalia associated with extremism or anti government movements.

Indicia of occupancy or ownership to include but not limited to bills, mail, photographs, writings, cameras, or video cameras. Any personal items with names on them that may indicate occupancy or ownership.

Complete set of physical characteristics on Jared Lee Loughner \_\_\_\_\_ to include buccal cell swabs for D.N.A., major case fingerprinting, and photographing of subject.

Complete forensic processing of Jared Lee Loughner \_\_\_\_\_ to include but not limited to collection of all clothing he was or is wearing, processing for trace evidence such as swabbing of hands and person and detailed photographing of person.

Future forensic analysis and processing of all evidence gathered

Any other fruits and instrumentalities of the crimes of violation of Arizona or Federal Homicide Laws.

I Detective Hogan your affiant am a certified Peace Officer in the State of Arizona and have the following training and experience. I have been with the Sheriff's department since 1998. I attended the Southern Arizona Law Enforcement basic academy, the Pima County Sheriff's Department Advanced basic academy, and the Pima County Sheriff's Detective training course. I attend training through the department numerous times a year on subjects such as crime scene processing, interview and interrogation, and legal updates. I have attended training outside of the department in areas such as crime scene processing and interview and interrogation. I worked on street patrol for approximately three years investigating all types of crimes and then became a Detective. As a Detective I have worked with the Domestic Violence Unit, the Robbery Assault Unit and the Fugitive Unit. I have worked a total of approximately five and a half years as a homicide Detective and have

11 SW 0026

investigated over one hundred homicides with duties including processing crime scenes, interviewing witnesses and suspects, and obtaining search warrants. I have experience in searching cellular telephones and computers and the evidence that may be gathered from them. I have obtained search warrants on many occasions in the past and evidence from these warrants has been used throughout the investigative phase and prosecution phase.

Your Co Affiant Special Agent Terwilliger is a certified Peace Officer in Arizona and Federal Special Agent with the Federal Bureau of Investigation (FBI). She has all of the required training for both positions and has been a Special Agent since January 2004. She is currently assigned to the Violent Crimes squad in Tucson, Arizona, primarily working Assault of Federal Officer cases. She had previously worked on a Counterterrorism squad, which investigated domestic terrorism groups. She is also a member of the FBI Evidence Response Team which is responsible for collecting evidence at crime scenes, as well as documentation of the scene.

I believe that based on my experience, training, and investigation that the facts establishing probable cause for the issuance of this search warrant for the foregoing described property, person(s), location, and vehicles are as follows:

On Saturday January 8, 2011 at approximately 1011 am the Pima County Sheriff's Department received multiple 911 calls about a shooting situation at the Safeway shopping plaza at 7170 N Oracle Road, the southwest corner of Ina and Oracle. These calls indicated an active shooting situation and Patrol Deputy response was initiated.

When Deputies arrived at the front of the Safeway they encountered numerous victims and found several civilians on top of and detaining a male subject later identified by Arizona drivers license as Jared Lee Loughner [REDACTED] target listed in this warrant. Deputies approached and were able to detain Mr. Loughner at the scene. Multiple witnesses at the scene indicated Mr. Loughner had been armed with a handgun and was shooting people in front of the Safeway. A handgun was located by Deputies on the ground next to Mr. Loughner and these witnesses indicated Mr. Loughner had been armed with this gun when they tackled and disarmed him. In Mr. Loughner's left front pocket Deputies located two handgun magazines with rounds in them and he was found to be wearing earplugs at the time he was detained. All of this indicates planning and the possibility of evidence in the locations in this warrant.

At the scene in front of the Safeway multiple people were found to have been wounded. Triage of the injured was begun and several were transported to local hospitals. At the scene five victims were pronounced deceased. Multiple spent cartridge casings were located in front of the Safeway and this scene is being processed.

In Mr. Loughner's back pocket was his Arizona Driver's License. This license lists an address of [REDACTED] target location in this warrant. This address is on the north side of Tucson as is the Safeway. Various computer checks have been done on Mr. Loughner. He has listed this address as his home address on past contacts with the police. Deputies responded to the Soledad address and contacted Mr. Loughner's parents inside the home. They confirmed to the Deputies that he does live at that address. He has a bedroom there and also has complete access to the home and yard. They also told Deputies the following facts. The morning of the shooting Mr. Loughner left the home in his green

11 SW 0026

Chevy Nova listed in this warrant. He came back home and was seen removing a black bag or backpack from the trunk of the nova. The parents tried to talk to Mr. Loughner in the home and he took off running from the home North then East. The Safeway is East from Mr. Loughner's home. The parents state Mr. Loughner is known to maintain journals and writings and these items should be in the house. He has a shotgun that is in the trunk of the car inside their garage. He does use a cellular telephone to communicate. He also uses a computer in the home and specifically a video he recently made may be on the computer. This is a video about the the first amendment that he was dismissed from Pima Community College for producing.

Computer checks on Mr. Loughner have determined the following. He has a past contact with the Pima County Sheriff's Department where he was spray painting extremist type symbols on a wall. Mr. Loughner has also had numerous recent involvements with Pima Community College and their Police Department. These contacts indicate extreme behavior to the point that he was dismissed from the College over a video he made about the First Amendment. All of this is consistent with the parents statement.

A check over the internet after the shooting by running Mr. Loughner's name has also located a MySpace account in the name of Jared Loughner. This site has anti government postings on it and a recent post this morning saying goodbye.

#### Regarding Cellular Telephones and their Analysis

Based on my training and experience cellular telephones and their contents can contain evidence and can be used to further an investigation. I have obtained and analyzed cellular telephones and have located text messages, photographs, and videos detailing crimes. This includes texts talking about crimes and photographs taken in preparing for a crime. In this case there is a pattern of pre-planning as well as cellular telephone use that would indicate evidence may be located on any cellular telephones found.

#### Regarding Computers and Associated Items

Based on my training and experience computers and computer related storage and media can contain evidence and be used to further an investigation. I have seized and had analyzed computers in the past and evidence such as e-mails, photographs, and videos related to planning and commission of crimes has been located. Also specific to this incident information already located on public areas of the internet such as MySpace indicates Mr. Loughner uses computers and that any computers located may contain evidence of this crime and its planning.

Also I and the other Deputies and Agents involved have had training and experience dealing with extremist groups and extremist individuals. These individuals and groups are known to educate themselves and communicate through the internet. They are also known to publish periodicals and create writings about their views and plans. Mr. Loughner's recent contacts with Police and school officials indicate a pattern consistent with this type of extremism.

#### Regarding Physical Characteristics and Forensic Processing of Mr. Loughner

Multiple witnesses have identified Mr. Loughner as a shooter in this situation and scene analysis and witness statements indicate he was close to the victims at the time he was

11 SW 0026

shooting. He was also eventually tackled and held down by victims in the case. All of this would indicate evidence may be located on his person or clothing. Evidence such as the weapon and casings have also been located at the scene. These items may yield forensic evidence such as fingerprints and D.N.A.. Obtaining physical characteristics from Mr. Loughner will allow comparison to these items.

Not applicable or requested

Based on the above facts your affiant requests that a search warrant be issued with respect to the above described person(s), premises, or thing(s).

*Chris Hogan #1233* 1840  
Detective Christopher Hogan #1233  
Pima County Sheriff's Department 1/8/11  
1/8/2011

*[Signature]*  
Special Agent Michelle Terwilliger  
Federal Bureau of Investigation

Sworn before me this 8<sup>th</sup> day of January, 2011.

*[Signature]*  
Judge of the Superior Court

STANDARD ARIZONA INVENTORY, AFFIDAVIT,  
AND RETURN OF SEARCH WARRANT

FILED  
PATRICIA A. NOLAN  
CLERK, SUPERIOR COURT  
11 JAN 11 AM 10:02

I, Detective Hogan #1233 of the Pima County Sheriff's Department, a law enforcement **D. WANDELL DEPUTY**  
sworn peace officer of the state of Arizona, being first duly sworn upon oath, deposes  
and says: That on the 8<sup>th</sup> day of January, 2011 I executed this search warrant,

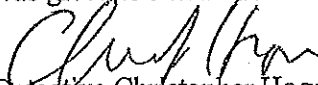
Warrant Number:

**11 SW 0026**

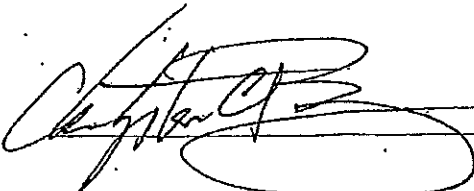
issued by Judge Christopher Browning, of the Pima County Superior Court, and the  
following property/ evidence was seized:

- 1) Items on the attached Property Sheets
- 2) Major Case Print Cards on Jared Lee Loughner
- 3) Clothing from Jared Lee Loughner to include one fleece hoodie, one knit hat, one pair of pants, one t-shirt, one pair of sneakers, drivers license, Safeway receipt, credit/gift cards, and \$93.01 in U.S. Currency.
- 4) Photographs Digitally Retained

I further certify that the foregoing inventory is a true and detailed account of all property taken pursuant to A.R.S. 13-3921. A copy of the warrant and receipt for all articles taken was left at [REDACTED] and a copy was given to Jared Lee Laugner.

  
Detective Christopher Hogan #1233  
Pima County Sheriff's Department

This warrant returned, subscribed, and sworn to before me on this 11<sup>th</sup> day of January 2011.

  
\_\_\_\_\_  
Judge of the Pima County Superior Court

FD-597 (Rev 8-11-94)

Page 2 of 10

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

**11 SW 0026**

On (date) 01/08/2011

- Received From
- Returned To
- Released To
- Seized

(Name) Jared Loughner

(Street Address) [REDACTED]

(City) Tucson

Description of Item(s):

- 1) Eiders Royal Service 12 Gauge Double Barrel Shotgun  
serial number 899918 - Item # 18<sup>th</sup> Location A (Garage)
- 2) Harrington & Richardson 12 Gauge Shotgun serial  
number HX217155. Topper Model 898 Item 18  
Location A (Garage)

~~No Additional Items~~

~~[Signature]~~

~~01/08/2011~~

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Receipt for Property Received/Returned/Released/Seized

File # 89B-PX-86099

**11 SW 0026**

On (date) 01/09/2011

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name) Jared Loughner

(Street Address) [REDACTED] Tucson, Arizona

(City) Tucson, Arizona

Description of Item(s): Room L MLT

Item 2 - Court Documents of Jared Loughner

Item 4 - Photo negatives

Item 5 - one (1) casing and six (6) live rounds of ammunition

Item 6 - Four (4) spent casings

Item 7 - United States History books

Item 8 - One (1) notebook w/ writing

Item 9 - Drawings of weapons

Item 10 - Chase visa credit card - Jared L. Loughner

Item 11 - Four (4) pieces of optical media

Item 12 - Chase account paperwork

Item 14 - Journal

Item 15 - Letter found in Jared Loughner's Room

Item 16 - (22) pieces of optical media and one piece of paper w/

Item 17 - Black CD holder w/ seven (7) pieces of optical media <sup>typed writing</sup>

~~Item 18 - MLT~~

Item 22 - Black CD Holder w/ thirty four (34) pieces of optical media

Received By: [Signature] (Signature) Received From: [Signature] (Signature)

FD-597 (Rev 8-11-04)

Page 3 of 10

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

**11 BW 0026**

On (date) 1/9/11

- item(s) listed below were:
- Received From
  - Returned To
  - Released To
  - Seized

(Name) Jared Loughner

(Street Address) [REDACTED]

(City) Tucson

Description of Item(s):

Item 19 Location A (Garage) - 11 rounds steel shot Xpert  
Winchester 12 Gauge Ammunition, 3 rounds Federal steel shot  
12 Gauge Ammunition, 2 rounds Kent 12 Gauge Ammunition

*No Additional Items*

*01/09/2011*

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)

FD-597 (Rev 8-11-94)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

**11 EW 0026**

On (date) 01/09/2011

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name) Jared Loughner

(Street Address) [REDACTED]

(City) Tucson

Description of Item(s):

Item 20 Location A (Garage) - 2 pictures, Song lyrics

*No Additional Items*

*[Signature]*  
01/09/2011

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)

FD-597 (Rev 8-11-04)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

**11 SW 0026**

On (date) 4/9/11

- Received From
- Returned To
- Released To
- Seized

(Name) Jared Loughner

(Street Address) [REDACTED]

(City) Tucson, AZ

Found by: Leroy Hoiland Room: L

Description of Item(s): (21) (Contents of Safe) Letter from Gabrielle Giffords,

Congress of the United States, to "Jared Loughney"; Regal R15LC

Locking instructions for firearm w/ handwritten notes; Manila envelope

[REDACTED] - outside of envelope

has handwritten notes [REDACTED], "priceless" [REDACTED]

[REDACTED] "I planned ahead! My Assassination Love - Jared

- Giffords" "DT"; "Shrooms" magnet; red gun lock and keys (2);

handwritten note; black plastic rod; handwritten note "What is Government

if words don't have a meaning?" by "Jared Loughner"; Eddie Bauer

magnet; small orange and black pin/stake (23) PNY Optima

SD HC 4GB CARD - 0936wF4657B

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)

FD-597 (Rev 8-11-94)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

**11 BW 0026**

On (date) 1/9/11

- item(s) listed below were:
- Received From
- Returned To
- Released To
- Seized

(Name) Jared L<sup>of</sup> Laughner

(Street Address) [REDACTED]

(City) Tucson, AZ

Found by: Diana Johnson Room: F

Description of Item(s): Three (3) notebooks containing computer printouts and handwritten notes, handwritten notes, photographs and negatives, sketch pad containing sketches, notepad containing notes. (2) Phone cards (2) for Net10, handwritten notes, Amendment/printout, Constitution printout, applications for employment. (2) CD "Behemoth Evangelion" and (2) Red Floppy disks (2) White plastic box containing: 8-CDs, CDs (commercial), CD cases eight (8)

*last item*

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)

FD-597 (Rev 8-11-04)

Page 7 of 10

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-DX-86099

**11 3W 0026**

On (date) 01/09/2011

- Received From
- Returned To
- Released To
- Seized

(Name) Jared Loughner

(Street Address) [REDACTED]

(City) TULSON

Description of Item(s):

- 27 1 roll of film located in Rm. N
- 28 1 roll of film located in Rm Q
- 29 3 rolls of film located in Rm Q
- 30 ~~10~~ 9 VHS tapes located in Rm Q
- 31 10 ~~8~~ music CD's located in Rm Q
- 32 Piece of paper with various phone numbers/names Q
- 33 1 generic computer located in Rm N
- 34 4 page document titled "False Reality" - Rm N
- 35 1 JVC Everio video camera Rm N <sup>serial</sup> GZ-M5120BU
- 36 1 red notebook containing poems in Rm N
- 37 1 Nikon CoolPix 5600 <sup>ser.</sup> 30465051 w/ BIK case Rm N
- 38 [REDACTED]
- 39 [REDACTED]
- 40 CHASE BANK STATEMENTS FOR JARED LOUGHNER

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)

FD-597 (Rev 8-11-94)

Page 8 of 10

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 99A-PX-86099

**11 SW 0026**

On (date) 1/9/11

- item(s) listed below were:
- Received From
  - Returned To
  - Released To
  - Seized

(Name) Jared Laughner

(Street Address) [REDACTED]

(City) Tucson, AZ

Found by: Leroy Holland Room: F

Description of Item(s): (41) HP RT3090, Computer s/n: 4CE02610FJ  
model number: p6510f

*last item*

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)

FD-597 (Rev 8-11-94)

Page 9 of 10

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

11 SW 0026

On (date) 01/07<sup>th</sup> 2011

- Received From
- Returned To
- Released To
- Seized

(Name) Jared ~~Houghner~~ Houghner

(Street Address) [REDACTED] TULSON AZ

(City) TULSON

Description of Item(s) (42) Uniden telephone and answering machine  
BF40958272

*fast item*

Received By: [Signature]  
(Signature)

Received From: \_\_\_\_\_  
(Signature)



FD-597 (Rev 8-11-94)

Page 10 of 10

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 89A-PX-86099

11 SW 0026

On (date) 1/9/11

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name) Jared Loughner

(Street Address) [REDACTED]

(City) Tucson, AZ

Room 6

Description of Item(s): #43 - Pima County College. Complaint form and  
approximate "11" page essay.

*Nothing follows*

Received By:

[Signature]  
(Signature)

Received From:

(Signature)

11 BW 0026

**Pima County Sheriff's Department**  
**1750 E. Benson Highway - Tucson, AZ 85714**  
**Evidence Control Form**

Case #	11-0108-075	<b>EVIDENCE TECHNICIAN USE ONLY</b>	
<input checked="" type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor	<input type="checkbox"/> CIVIL	Evidence Location (S)	Envelope Paper Bag Boxes Other (Specify)
UCR Code: 0101	Form # _____ of _____	Received by	Date

Please Print Entire Form Clearly

Location Data	Location/ Address Found or Received:	Received by Deputy (Name & Badge):	Time:	Date:		
	1750 E. Benson Hwy	PAUSS 1075	2000	1-3-11		
Placed into evidence by (Name & Badge):		Time:	Date:	District: Locker #:		
Citizen/finder	Citizen's Name:	Citizen's Address (Include City, State and Zip Code):		Telephone:		
Case Deputy / Badge #:	District/CID Unit:		Business Phone:			
Owner	Last Name / Business:	First Name:	M.I.:	D.O.B.:	Home Phone:	Business Phone:
	Street Address:		City:	State:	Zip:	
<input checked="" type="checkbox"/> Suspect <input checked="" type="checkbox"/> Arrestee	Last Name:	First Name:	M.I.:	<input checked="" type="checkbox"/> Adult <input checked="" type="checkbox"/> Juvenile	Date of Birth:	
<input type="checkbox"/> Suspect <input type="checkbox"/> Arrestee	Last Name:	First Name:	M.I.:	<input type="checkbox"/> Adult <input type="checkbox"/> Juvenile	Date of Birth:	

Special Instructions - Provide Item # for each instruction (e.g. KEEP FROZEN, BIO-HAZARD, FLAMMABLE, etc.)

Use a separate Evidence Control Form for each item type or each owner.

Type (check one only)	<input checked="" type="checkbox"/> Evidence	<input type="checkbox"/> Found Property	<input type="checkbox"/> Safekeeping
Item #	Qty	Serial Number	Description
			CLIPPERS - RIGHT CLIPPER
			CLIPPERS - LEFT CLIPPER
			CLIPPERS - LEFT HAND FINGER
			CLIPPERS - LEFT HAND THUMB
			CLIPPERS - LEFT HAND PALM
			CLIPPERS - RIGHT HAND BACK
			CLIPPERS - RIGHT HAND PALM
			CLIPPERS - RIGHT HAND THUMB

*[Handwritten signature]*  
1075

FILED  
PATRICIA A. NOLAN  
CLERK, SUPERIOR COURT

11 JAN 19 AM 10:25

ARIZONA SUPERIOR COURT, PIMA COUNTY

JUDGE: HON. CHRISTOPHER BROWNING

CASE NO: 11 SW 0040 D. WANDERLUTZ DEPUTY

DATE:

January 19, 2011

IN RE THE MATTER OF:

11 SW 0040

---

**ORDER**

---

**IN CHAMBERS:**

No parties are present.

**IT IS ORDERED** that the Warrant, Affidavit and Return be sealed until further order of the Court.

  
\_\_\_\_\_  
HON. CHRISTOPHER BROWNING

cc:

Clerk of Court - Criminal Desk

6-10-09

Rhonda Lowery  
Judicial Administrative Assistant

**In The Superior Court, County of Pima, State of Arizona**  
[Federal Search Warrant Presented to State Court Judge Pursuant to Fed. R. Crim. P. 41(b)(1)]

In the Matter of the Search of Electronic  
Evidence Seized Pursuant to Search  
Warrant for [REDACTED],  
Tucson, Arizona

CASE NUMBER:

**SEARCH AND SEIZURE WARRANT.**

**TO:** Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of Arizona:

**See Attachment A, incorporated by reference**  
(The affidavit in support of this Search Warrant is herein incorporated by reference.)

The person or property to be searched, described above, is believed to conceal:

**See Attachment B, incorporated by reference**

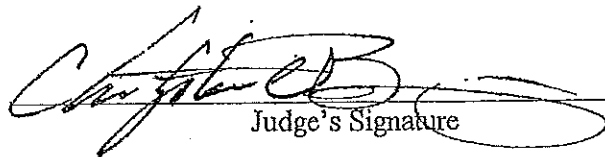
I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before January 26, 2011, although examination of the contents can continue after that date. Fed. R. Crim. P. 41(e).  
( ) in the daytime 6:00 a.m. to 10 p.m. (X) at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Pima County Superior Court Judge Christopher Browning.

Issued Pursuant to  
Fed. R. Crim. P. 41  
(b)(1). Date and time: January 12, 2011 Time: \_\_\_\_\_

  
\_\_\_\_\_  
Judge's Signature

City and state: Tucson, Arizona

Pima County Superior Court  
The Hon. Christopher Browning

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

**RETURN**

Case No.:	Date and Time Warrant Executed: 01/12/2011 1:15 PM	Copy of warrant and inventory left with:
-----------	---	--

Inventory Made in the Presence of:

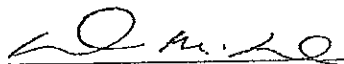
Inventory of the property taken and name of any person(s) seized:

- 1) ONE HP P3090 COMPUTER, SERIAL NUMBER 4CE02610FJ, containing a 750 GB HARD DRIVE
- 2) ONE ULTRAMEDIA COMPUTER TOWER, ID NUMBER 004989, containing a 40 GB hard drive
- 3) One PNY Optima SDHC 4 GB memory card, Serial Number 944F421
- 4) Four (4) photo CDs
- 5) Two (2) 3.5 Floppy diskettes, Red in color
- 6) One K Hypermedia CDR
- 7) One Nikon COOLPIX E5600, SERIAL NUMBER 30455051, and
- 8) ONE 256 MB SANDISK SD CARD

**CERTIFICATION**

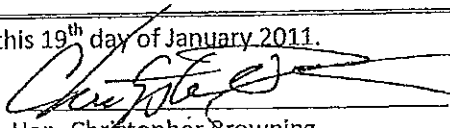
I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 01/12/2011

  
Executing officer's signature

SA DANICA MARIE DUDAS  
Printed name and title

This warrant returned, subscribed, and sworn to before me on this 19<sup>th</sup> day of January 2011.

  
Hon. Christopher Browning

ATTACHMENT A

The items to be searched were obtained from the premises of [REDACTED] in Tucson, Arizona, pursuant to the search warrant in Attachment C. The items to be searched are:

- i. One HP RT3090 Computer, Serial Number 4CE02610FJ, containing a 750 GB hard drive
- ii. One Ultramedia Computer Tower, ID Number 004989, containing a 40 GB Hard Drive
- iii. One PNY Optima SDHC4GB memory card, Serial Number 944F421
- iv. Four (4) photo CDs
- v. Two (2) 3.5 Floppy Diskettes, Red in Color
- vi. One K. Hypermedia CD-R
- vii. One Nikon Coolpix E5600, Serial Number 30455051
- viii. One 256 MB Sandisk SD Card

ATTACHMENT B

1. All records, contained in the devices identified in Attachment A (hereinafter "Devices"), that relate to violations of the statutes listed on the warrant and involve Jared Lee Loughner, the suspect, including:
  - a. any information recording Loughner's schedule or travel;
  - b. all bank records, checks, credit card bills, account information, trusts, wills and other financial records;
  - c. Maps, exit routes and related records pertaining in Tucson, Arizona, and surrounding regions;
  - d. Any and all records associated with the activities and interests of Congresswoman Giffords and her staff and associates, and members of the federal and local government;
  - e. Any and all communications to and from Congresswoman Giffords or her staff and the subject, and to and from the subject and any federal, state, county or local public official;
  - f. Any and all records and information relating to his education, including educational institutions attended, any disciplinary history and any related educational information.
  - g. Any and all records associated with the purchase, acquisition or use of firearms, ammunition or other incendiary or explosive devices;

- h. Calendars, contact lists, telephone records, diaries, personal journals and related records;
  - i. Records of prescriptions, medical treatment, and physical and mental condition;
  - j. Any notes, ledgers, journals, internet caches, writings, correspondence or other records that would indicate motive, participation or planning of the charged crimes;
  - k. Any books, periodicals, photographs or other paraphernalia associated with extremism or anti-government movements; and
  - l. Indicia of occupancy or ownership of the premises located at [REDACTED] [REDACTED] to include bills, mail, photographs, writings or videos.
2. For any computer, computer hard drive, or other physical object upon which computer data can be recorded (hereinafter, "DEVICE") that is called for by this warrant, or that might contain things otherwise called for by this warrant:
- a. evidence of who used, owned, or controlled the DEVICE at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
  - b. evidence of software that would allow others to control the DEVICE, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence



of the presence or absence of security software designed to detect malicious software;

- c. evidence of the lack of such malicious software;
  - d. evidence of the attachment to the DEVICE of other storage devices or similar containers for electronic evidence;
  - e. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the DEVICE;
  - f. evidence of the times the DEVICE was used;
  - g. passwords, encryption keys, and other access devices that may be necessary to access the DEVICE;
  - h. documentation and manuals that may be necessary to access the DEVICE or to conduct a forensic examination of the DEVICE;
  - i. contextual information necessary to understand the evidence described in this attachment.
3. Records and things evidencing the use of the Internet, including:
- a. routers, modems, and network equipment used to connect computers to the Internet;
  - b. records of Internet Protocol addresses used;

- c. records of Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses.

As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing, drawing, painting); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

FILED  
PATRICIA A. NOLAN  
CLERK SUPERIOR COURT

**In The Superior Court, County of Pima, State of Arizona**

[Federal Search Warrant Presented to State Court Judge Pursuant to Fed. R. Crim. P. 41(b)(1)]

In the Matter of the Search of Electronic  
Evidence Seized Pursuant to Search  
Warrant for [REDACTED]  
Tucson, Arizona

CASE NUMBER:  
D. WANDELL, DEPUTY

**11 SW 0040**

**Application for a Search Warrant**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the District of Arizona:

**See Attachment A, incorporated by reference**

The person or property to be searched, described above, is believed to conceal:

**See Attachment B, incorporated by reference**

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of 18 U.S.C. §§ 351(c), 1111, 1113, and 1114, and the application is based on these facts:

**See Attached Affidavit in Support of Search Warrant, incorporated by reference**

Delayed notice of \_\_\_ days (give exact ending date if more than 30 days;) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Authorized by AUSA

Applicant's signature

Danica Dudas, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence pursuant to Fed. R. Crim. P. 41(b)(1)

Date: January 12, 2011

Judge's signature

City and state: Tucson, Arizona

Hon. Christopher Browning, Judge  
Pima County Superior Court

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

FILED  
PATRICIA A. NOLAND  
CLERK, SUPERIOR COURT

11 JAN 19 AM 10:24

IN THE MATTER OF THE SEARCH OF  
ELECTRONIC EVIDENCE SEIZED  
PURSUANT TO SEARCH WARRANT FOR  
[REDACTED] CURRENTLY  
LOCATED AT FEDERAL BUREAU OF  
INVESTIGATION, 1 SOUTH CHURCH  
AVENUE, SUITE 600

D. WANDELL, DEPUTY  
Case No. 11 SW 0040

AFFIDAVIT IN SUPPORT OF AN  
APPLICATION UNDER RULE 41 FOR A  
WARRANT TO SEARCH AND SEIZE

I, Danica Dudas, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the devices identified in Attachment A. These devices are::

- 1) One HP RT3090 Computer, Serial Number 4CE02610FJ, containing a 750 GB hard drive
- 2) One Ultramedia Computer Tower, ID Number 004989, containing a 40 GB Hard Drive
- 3) One PNY Optima SDHC4GB memory card, Serial Number 944F421
- 4) Four (4) photo CDs
- 5) Two (2) 3.5 Floppy Diskettes, Red in Color
- 6) One K Hypermedia CDR
- 7) One Nikon Coolpix E5600, Serial Number 30455051, and
- 8) One 256 MB Sandisk SD Card,

hereinafter "Devices," which are currently stored, in law enforcement possession, at the above FBI address, for certain things particularly described in Attachment B.

11 SW 0040

2. I am a Special Agent with the FBI, and have been since March 2010. I have received training in computers, computer technology, digital evidence, and the use of such evidence in criminal prosecutions. I have worked violent crime cases as an FBI agent, including violent crimes against federal officers. I am familiar with the types of evidence that can be found on electronic devices, such as the items listed in Attachment B, and the devices listed in Attachment A. When I was a state trooper in Pennsylvania, I worked on investigations involving child pornography, which included evidence discovered on computers. In addition to being a federal law enforcement officer for purposes of Fed. R. Crim. P. 41, I am cross-designated as a peace officer in Arizona.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On January 8, 2011, Pima County Superior Court Judge Christopher Browning authorized the search of the premises of [REDACTED], in Tucson, Arizona. (Attachment C.) The search warrant authorized the search and seizure of items including "[a]ny computers, hard drives, thumb drives, discs, memory cards, or computer associated storage and media to include forensic analysis and viewing of contents." (Attachment C.) For purposes of this search and seizure warrant concerning the Devices, I incorporate the probable cause set forth in the search warrant affidavit and warrant at Attachment C, and provide the following correction to a fact in that warrant affidavit: On page 4 of the affidavit for search warrant, it states that "He has a past contact with the Pima County Sheriff's Department where he was spray painting extremist type symbols on a wall." This contact was actually with the Marana Police

J T SW 0040

Department. In addition to the probable cause set forth in Attachment C, I am providing the following additional facts: The current suspect in this case, Jared Lee Loughner, received a letter generated from Member of Congress Gabrielle Giffords' office in Tucson, Arizona, in 2007, according to a member of Giffords' staff in Tucson. The 2007 letter was generated from a sign-in sheet bearing the name "Jared Lee Loughney," signed at a "Congress on your Corner" event in 2007, and the letter was sent to [REDACTED], in Tucson, Arizona, the location that was searched pursuant to the warrant in Attachment C. Loughner posted messages and several videos on social networking sites, such as MySpace and You Tube. He also posted a farewell message on his MySpace profile, while a video in his YouTube profile stated it was his "farewell." Loughner further posted a picture in his MySpace profile of a Glock pistol laying on a U.S. history book, and that weapon appears to be similar to the weapon used in the shootings that are the subject of the current federal charges against Loughner in this matter.

5. The Devices are currently in the lawful possession of the FBI at 1 South Church Avenue, Suite 600, Tucson, Arizona, 85701. The Devices came into the FBI's possession in the following way: When the warrant in Attachment C was executed, various items of electronic media were seized, including the items listed as the Devices in Attachment A. The FBI was part of the team that executed the search warrant, and Devices in Attachment A were seized and transported to the FBI office in Tucson. Pursuant to that search warrant, the Devices in Attachment A, numbers 1, 2, 4, 5, 6, 7, 8, were mirror-imaged, which is a forensic process of creating a duplicate copy. However, the contents have not been analyzed. The PNY card in Attachment A, number 3, has been mirror-imaged and processed by forensic software, but the contents have not been viewed. While the FBI believes it has all necessary authority to search the Devices in Attachment A based on the warrant in Attachment C, the FBI seeks this additional

11 ~~W~~ 0040

warrant out of an abundance of caution to be certain that a search of the Devices will comply with the Fourth Amendment and other applicable laws.

6. The Devices in Attachment A are located at the FBI at 1 South Church Avenue, Suite 600, Tucson, Arizona, 85701. In my training and experience, I know that the Devices have been stored in a manner in which its contents are, to the extent material to this investigation, in substantially the same state as they were when the Devices first came into the possession of the FBI.

7. The forensic and other searching of computers and electronic media often requires the use of programs that may take many hours to execute, including during the nighttime hours, and for that reason, I also request authorization to conduct the search and examination of the Devices during the day and night. In my experience, and considering the nature of the evidence seized and the current investigation, the examination of the Devices will take a significant period of time.

#### TECHNICAL TERMS

8. Based on my training and experience, I use the following technical terms to convey the following meanings:

- a. IP Address: An Internet Protocol address (or simply "IP address") is a unique numeric address used by computers on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet computer must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control

11 ~~SW~~ 0040

a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.

- b. Internet: The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.
- c. Storage medium: A storage medium is any physical object upon which computer data can be recorded. Examples include hard disks, floppy disks, flash memory, CD-ROMs, DVDs, SD cards, DVRs, digital cameras, and several other types of magnetic or optical media not listed here.

ELECTRONIC DEVICES AND STORAGE

- 9. As described above and in Attachment B, this application seeks permission to search and seize things that the Devices might contain, in whatever form they are stored. Based on my knowledge, training, and experience, I know that electronic devices can store information for long periods of time. Even when a user deletes information from a device, it can sometimes be recovered with forensics tools. Similarly, things that have been viewed via the Internet are typically stored for some period of time on the device. This information can sometimes be recovered with forensics tools.
- 10. I submit that the records identified in Attachment B will be stored on the identified computers or other storage medium, for at least the following reasons:



11 SW 0040

- a. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a storage medium can be stored for years at little or no cost. Even when files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person “deletes” a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data.
- b. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the storage medium that is not currently being used by an active file—for long periods of time before they are overwritten. In addition, a computer’s operating system may also keep a record of deleted data in a “swap” or “recovery” file.
- c. Wholly apart from user-generated files, computer storage media—in particular, computers’ internal hard drives—contain electronic evidence of how a computer has been used, what it has been used for, and who has used it. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory “swap” or paging files. Computer users typically do not erase or delete this evidence, because special software is typically required for that task. However, it is technically possible to delete this information.

11 SW 0040

d. Similarly, files that have been viewed via the Internet are sometimes automatically downloaded into a temporary Internet directory or "cache."

11. As further described in Attachment B, this application seeks permission to locate not only computer files that might serve as direct evidence of the crimes described on the warrant, but also for forensic electronic evidence that establishes how computers were used, the purpose of their use, who used them, and when. There is probable cause to believe that this forensic electronic evidence will be on the identified devices because:

- a. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the dates files were created and the sequence in which they were created.
- b. Forensic evidence on a computer or storage medium can also indicate who has used or controlled the computer or storage medium. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a

11 SW 0040

search warrant at a residence. For example, registry information, configuration files, user profiles, e-mail, e-mail address books, "chat," instant messaging logs, photographs, the presence or absence of malware, and correspondence (and the data associated with the foregoing, such as file creation and last-accessed dates) may be evidence of who used or controlled the computer or storage medium at a relevant time.

- c. A person with appropriate familiarity with how a computer works can, after examining this forensic evidence in its proper context, draw conclusions about how computers were used, the purpose of their use, who used them, and when.
- d. The process of identifying the exact files, blocks, registry entries, logs, or other forms of forensic evidence on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. While it is possible to specify in advance the records to be sought, computer evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.
- e. Further, in finding evidence of how a computer was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium. For example, the presence or absence

11 SW 0040

of counter-forensic programs or anti-virus programs (and associated data) may be relevant to establishing the user's intent.

12. Searching storage media for the evidence described in the attachments may require a range of data analysis techniques. In most cases, a thorough search for information stored in storage media often requires agents to seize most or all electronic storage media and later review the media consistent with the warrant. In lieu of seizure, it is sometimes possible to make an image copy of storage media. Generally speaking, imaging is the taking of a complete electronic picture of the computer's data, including all hidden sectors and deleted files. Either seizure or imaging is often necessary to ensure the accuracy and completeness of data recorded on the storage media, and to prevent the loss of the data either from accidental or intentional destruction. This is true because of the following:

- a. The nature of evidence. As noted above, not all evidence takes the form of documents and files that can be easily viewed on site. Analyzing evidence of how a computer has been used, what it has been used for, and who has used it requires considerable time, and taking that much time on premises could be unreasonable. As explained above, because the warrant calls for forensic electronic evidence, it is exceedingly likely that it will be necessary to thoroughly search storage media to obtain evidence, including evidence that is not neatly organized into files or documents. Just as a search of a premises for physical objects requires searching the entire premises for those objects that are described by a warrant, a search of this premises for the things described in this warrant will likely require a search among the data stored in storage

11 SW 0040

media for the things (including electronic data) called for by this warrant.

Additionally, it is possible that files have been deleted or edited; but that remnants of older versions are in unallocated space or slack space. This, too, makes it exceedingly likely that in this case it will be necessary to use more thorough techniques.

- b. The volume of evidence. Storage media can store the equivalent of millions of pages of information. Additionally, a suspect may try to conceal criminal evidence; he or she might store it in random order with deceptive file names. This may require searching authorities to peruse all the stored data to determine which particular files are evidence or instrumentalities of crime. This sorting process can take weeks or months, depending on the volume of data stored, and it would be impractical and invasive to attempt this kind of data search on-site.
- c. Technical requirements. Computers can be configured in several different ways, featuring a variety of different operating systems, application software, and configurations. Therefore, searching them sometimes requires special forensic tools.

#### CONCLUSION

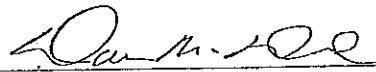
13. I submit that this affidavit, as well as the probable cause in Attachment C, incorporated herein, supports probable cause for a warrant to search the Devices identified in Attachment A and to seize the items described in Attachment B.

11 SW 0040

14. Pursuant to Rule 41(b)(1), Federal Rules of Criminal Procedure, this federal search warrant is being presented to a judge of the state court of record (Pima County Superior Court Judge in Arizona) because no federal magistrate judge with authority in the District of Arizona is reasonably available at this time. To the affiant's knowledge, the entire federal bench in Southern Arizona in the District of Arizona has been recused from this case, United States v. Jared Lee Loughner, and it is anticipated at this time that the remainder of the federal bench in the District of Arizona will be recused. The government was advised by a federal magistrate in the District of Arizona that state court judges are available to approve this warrant. For this reason, your affiant asks this Court to authorize this federal search warrant pursuant to Fed. R. Crim. P. 41(b)(1).


15. In addition, I respectfully ask that this warrant and any return be sealed until further of this Court.

Respectfully submitted,



DANICA DUDAS  
Special Agent, FBI

Subscribed and sworn to before me on January 12, 2011, pursuant to Federal Rule of Criminal Procedure 41(b)(1). I further order that this search and seizure warrant and the original search warrant reflected in Attachment C be sealed until this warrant is returned.



THE HON. CHRISTOPHER BROWNING  
JUDGE  
PIMA COUNTY SUPERIOR COURT

77 SW 0040

ATTACHMENT A.

The items to be searched were obtained from the premises of [REDACTED] in Tucson, Arizona, pursuant to the search warrant in Attachment C. The items to be searched are:

- i. One HP RT3090 Computer, Serial Number 4CE02610FJ, containing a 750 GB hard drive
- ii. One Ultramedia Computer Tower, ID Number 004989, containing a 40 GB Hard Drive
- iii. One PNY Optima SDHC4GB memory card, Serial Number 944F421
- iv. Four (4) photo CDs
- v. Two (2) 3.5 Floppy Diskettes, Red in Color
- vi. One K Hypermedia CD-R
- vii. One Nikon Coolpix E5600, Serial Number 30455051
- viii. One 256 MB Sandisk SD Card

11.0040

ATTACHMENT B

1. All records, contained in the devices identified in Attachment A (hereinafter "Devices"), that relate to violations of the statutes listed on the warrant and involve Jared Lee Loughner, the suspect, including:
  - a. any information recording Loughner's schedule or travel;
  - b. all bank records, checks, credit card bills, account information, trusts, wills and other financial records;
  - c. Maps, exit routes and related records pertaining in Tucson, Arizona, and surrounding regions;
  - d. Any and all records associated with the activities and interests of Congresswoman Giffords and her staff and associates, and members of the federal and local government;
  - e. Any and all communications to and from Congresswoman Giffords or her staff and the subject, and to and from the subject and any federal, state, county or local public official;
  - f. Any and all records and information relating to his education, including educational institutions attended, any disciplinary history and any related educational information.
  - g. Any and all records associated with the purchase, acquisition or use of firearms, ammunition or other incendiary or explosive devices;



11 SW 0040

- h. Calendars, contact lists, telephone records, diaries, personal journals and related records;
  - i. Records of prescriptions, medical treatment, and physical and mental condition;
  - j. Any notes, ledgers, journals, internet caches, writings, correspondence or other records that would indicate motive, participation or planning of the charged crimes;
  - k. Any books, periodicals, photographs or other paraphernalia associated with extremism or anti-government movements; and
  - l. Indicia of occupancy or ownership of the premises located at [REDACTED] [REDACTED] to include bills, mail, photographs, writings or videos.
2. For any computer, computer hard drive, or other physical object upon which computer data can be recorded (hereinafter, "DEVICE") that is called for by this warrant, or that might contain things otherwise called for by this warrant:
    - a. evidence of who used, owned, or controlled the DEVICE at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
    - b. evidence of software that would allow others to control the DEVICE, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence

11 SW 0040

- of the presence or absence of security software designed to detect malicious software;
- c. evidence of the lack of such malicious software;
  - d. evidence of the attachment to the DEVICE of other storage devices or similar containers for electronic evidence;
  - e. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the DEVICE;
  - f. evidence of the times the DEVICE was used;
  - g. passwords, encryption keys, and other access devices that may be necessary to access the DEVICE;
  - h. documentation and manuals that may be necessary to access the DEVICE or to conduct a forensic examination of the DEVICE;
  - i. contextual information necessary to understand the evidence described in this attachment.
3. Records and things evidencing the use of the Internet, including:
- a. routers, modems, and network equipment used to connect computers to the Internet;
  - b. records of Internet Protocol addresses used;

11 ~~W~~ 0040

- c. records of Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses.

As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing, drawing, painting); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

Case 4:11-cr-00187-LAB Document 87-3 \*SEALED\* Filed 02/10/11 Page 26 of 33  
ATTACHMENT C

11 SW 0040  
FILED  
IN THE SUPERIOR COURT  
CLERK SUPERIOR COURT  
COUNTY OF PIMA, STATE OF ARIZONA  
11 JAN 11 AM 10:02

State of Arizona

D. WANDELL, DEPUTY

vs.

Jared Lee Loughner

Search Warrant Number 11 SW 0026

TO: Any Peace Officer in the state of Arizona:

Proof by affidavit having been made this day before me by Detective Christopher Hogan #1233 of the Pima County Sheriff's Department, that there is probable cause to believe that herein incorporated by reference:

On the person(s) of:

Jared Lee Loughner (redacted)

On the premises or building(s) known as:

(redacted) A one story home made of beige block with brown trim. The numbers (redacted) on the mailbox out front. To include any out building on curtilage.

In the vehicle(s) described as:

A green in color Chevy, with AZ license plate, GPN-621 with V.I.N. # 113279W402651 currently on (redacted), or any other vehicles in the garage of the (redacted) address or on curtilage.

There is according to A.R.S. 13-3912, that property, person(s), or thing(s) described as:

Any firearms, firearm parts, holsters, gun cases, ammunition, spent casings, gun cleaning kits, or firearm related paperwork or periodicals.

Any cellular telephones or associated media and storage to include complete forensic analysis and viewing of contents.

Any computers, hard drives, thumb drives, discs, memory cards, or computer associated storage and media to include forensic analysis and viewing of contents.

Any notes ledgers, journals, writings, or correspondence that would indicate motive, participation or planning of this crime

11 SW 0040

11 SW 0026

Any books, periodicals, uniforms, photographs or other paraphernalia associated with extremism or anti government movements.

Indicia of occupancy or ownership to include but not limited to bills, mail, photographs, writings, cameras, or video cameras. Any personal items with names on them that may indicate occupancy or ownership.

Complete set of physical characteristics on Jared Lee Loughner [redacted] to include buccal cell swabs for D.N.A., major case fingerprinting, and photographing of subject.

Complete forensic processing of Jared Lee Loughner [redacted] to include but not limited to collection of all clothing he was or is wearing, processing for trace evidence such as swabbing of hands and person and detailed photographing of person.

Future forensic analysis and processing of all evidence gathered

Which property or things are:

     Property which was stolen or embezzled

X  Property used as a means of committing a public offense

X  Property or things in the possession of a person having the intent to use them as a means of committing a public offense

     Property or things in the possession of \_\_\_\_\_ which was delivered to him by \_\_\_\_\_ for the purpose of concealing it or preventing it from being discovered

X  Property or thing which constitutes an item of evidence which tends to show that a public offense has been committed or tends to show that a particular person committed the public offense.

     Property to be searched and inspected by an appropriate official, to wit \_\_\_\_\_ in the interest of the public health, safety, or welfare as part of an inspection program authorized by law

    , who is the subject of an outstanding arrest warrant

11 ~~SW~~ 0040

IN THE SUPERIOR COURT

COUNTY OF PIMA, STATE OF ARIZONA

FILED  
PATRICIA A. NOLAN  
CLERK, SUPERIOR COURT

11 JAN 11 AM 10:02

D. WANDELL, DEPUTY

State of Arizona

vs.

Jared Lee Loughner

Affidavit For Search Warrant Number

11 ~~SW~~ 0026

The undersigned, being first duly sworn and says that for the reasons set forth herein, he believes that:

On the person(s) of:

Jared Lee Loughner [REDACTED]

On the premises or building(s) known as:

[REDACTED] A one story home made of beige block with brown trim. The numbers 7741 on the mailbox out front. To include any out building on curtilage.

In the vehicle(s) described as:

A green in color Chevy, with AZ license plate, GPN-621 with V.I.N. # 113279W402651 currently on [REDACTED], or any other vehicles in the garage of the [REDACTED] address or on curtilage.

That there is property, things or person(s) which:

Property which was stolen or embezzled

Property used as a means of committing a public offense

Property or things in the possession of a person having the intent to use them as a means of committing a public offense

Property or things in the possession of \_\_\_\_\_ which was delivered to him by \_\_\_\_\_ for the purpose of concealing it or preventing it from being discovered,

Property or thing which constitutes any item of evidence which tends to show that a public offense has been committed or tends to show that a particular person committed the public

11 SW 0040

11 SW 0026

offense.

Property to be searched and inspected by an appropriate official, to wit \_\_\_\_\_  
in the interest of the public health, safety, or welfare as part of an inspection  
program authorized by law

\_\_\_\_\_, who is the subject of an outstanding arrest warrant

That property, person(s), or thing is described as:

Any firearms, firearm parts, holsters, gun cases, ammunition, spent casings, gun cleaning kits, or  
firearm related paperwork or periodicals.

Any cellular telephones or associated media and storage to include complete forensic analysis and  
viewing of contents.

Any computers, hard drives, thumb drives, discs, memory cards, or computer associated storage  
and media to include forensic analysis and viewing of contents.

Any notes ledgers, journals, writings, or correspondence that would indicate motive, participation  
or planning of this crime

Any books, periodicals, uniforms, photographs or other paraphernalia associated with extremism  
or anti government movements.

Indicia of occupancy or ownership to include but not limited to bills, mail, photographs, writings,  
cameras, or video cameras. Any personal items with names on them that may indicate  
occupancy or ownership.

Complete set of physical characteristics on Jared Lee Loughner \_\_\_\_\_ to include buccal cell  
swabs for D.N.A., major case fingerprinting, and photographing of subject.

Complete forensic processing of Jared Lee Loughner \_\_\_\_\_ to include but not limited to  
collection of all clothing he was or is wearing, processing for trace evidence such as  
swabbing of hands and person and detailed photographing of person.

Future forensic analysis and processing of all evidence gathered

Any other fruits and instrumentalities of the crimes of violation of Arizona or Federal Homicide  
Laws.

I Detective Hogan your affiant am a certified Peace Officer in the State of Arizona and  
have the following training and experience. I have been with the Sheriff's department  
since 1998. I attended the Southern Arizona Law Enforcement basic academy, the Pima  
County Sheriff's Department Advanced basic academy, and the Pima County Sheriff's  
Detective training course. I attend training through the department numerous times a year  
on subjects such as crime scene processing, interview and interrogation, and legal updates.  
I have attended training outside of the department in areas such as crime scene processing  
and interview and interrogation. I worked on street patrol for approximately three years  
investigating all types of crimes and then became a Detective. As a Detective I have worked  
with the Domestic Violence Unit, the Robbery Assault Unit and the Fugitive Unit. I have  
worked a total of approximately five and a half years as a homicide Detective and have

11 0040

11 SW 0026

investigated over one hundred homicides with duties including processing crime scenes, interviewing witnesses and suspects, and obtaining search warrants. I have experience in searching cellular telephones and computers and the evidence that may be gathered from them. I have obtained search warrants on many occasions in the past and evidence from these warrants has been used throughout the investigative phase and prosecution phase.

Your Co Affiant Special Agent Terwilliger is a certified Peace Officer in Arizona and Federal Special Agent with the Federal Bureau of Investigation (FBI). She has all of the required training for both positions and has been a Special Agent since January 2004. She is currently assigned to the Violent Crimes squad in Tucson, Arizona, primarily working Assault of Federal Officer cases. She had previously worked on a Counterterrorism squad, which investigated domestic terrorism groups. She is also a member of the FBI Evidence Response Team which is responsible for collecting evidence at crime scenes, as well as documentation of the scene.

I believe that based on my experience, training, and investigation that the facts establishing probable cause for the issuance of this search warrant for the foregoing described property, person(s), location, and vehicles are as follows:

On Saturday January 8, 2011 at approximately 1011 am the Pima County Sheriff's Department received multiple 911 calls about a shooting situation at the Safeway shopping plaza at 7170 N Oracle Road, the southwest corner of Ina and Oracle. These calls indicated an active shooting situation and Patrol Deputy response was initiated.

When Deputies arrived at the front of the Safeway they encountered numerous victims and found several civilians on top of and detaining a male subject later identified by Arizona drivers license as Jared Lee Loughner [REDACTED] target listed in this warrant. Deputies approached and were able to detain Mr. Loughner at the scene. Multiple witnesses at the scene indicated Mr. Loughner had been armed with a handgun and was shooting people in front of the Safeway. A handgun was located by Deputies on the ground next to Mr. Loughner and these witnesses indicated Mr. Loughner had been armed with this gun when they tackled and disarmed him. In Mr. Loughner's left front pocket Deputies located two handgun magazines with rounds in them and he was found to be wearing earplugs at the time he was detained. All of this indicates planning and the possibility of evidence in the locations in this warrant.

At the scene in front of the Safeway multiple people were found to have been wounded. Triage of the injured was begun and several were transported to local hospitals. At the scene five victims were pronounced deceased. Multiple spent cartridge casings were located in front of the Safeway and this scene is being processed.

In Mr. Loughner's back pocket was his Arizona Driver's License. This license lists an address of [REDACTED] target location in this warrant. This address is on the north side of Tucson as is the Safeway. Various computer checks have been done on Mr. Loughner. He has listed this address as his home address on past contacts with the police. Deputies responded to the [REDACTED] address and contacted Mr. Loughner's parents inside the home. They confirmed to the Deputies that he does live at that address. He has a bedroom there and also has complete access to the home and yard. They also told Deputies the following facts. The morning of the shooting Mr. Loughner left the home in his green



11 SW 0040

11 SW 0026

Chevy Nova listed in this warrant. He came back home and was seen removing a black bag or backpack from the trunk of the nova. The parents tried to talk to Mr. Loughner in the home and he took off running from the home North then East. The Safeway is East from Mr. Loughner's home. The parents state Mr. Loughner is known to maintain journals and writings and these items should be in the house. He has a shotgun that is in the trunk of the car inside their garage. He does use a cellular telephone to communicate. He also uses a computer in the home and specifically a video he recently made may be on the computer. This is a video about the the first amendment that he was dismissed from Pima Community College for producing.

Computer checks on Mr. Loughner have determined the following . He has a past contact with the Pima County Sheriff's Department where he was spray painting extremist type symbols on a wall. Mr. Loughner has also had numerous recent involvements with Pima Community College and their Police Department. These contacts indicate extreme behavior to the point that he was dismissed from the College over a video he made about the First Amendment. All of this is consistent with the parents statement.

A check over the internet after the shooting by running Mr. Loughner's name has also located a MySpace account in the name of Jared Loughner. This site has anti government postings on it and a recent post this morning saying goodbye.

#### Regarding Cellular Telephones and their Analysis

Based on my training and experience cellular telephones and their contents can contain evidence and can be used to further an investigation. I have obtained and analyzed cellular telephones and have located text messages, photographs, and videos detailing crimes. This includes texts talking about crimes and photographs taken in preparing for a crime. In this case there is a pattern of pre-planning as well as cellular telephone use that would indicate evidence may be located on any cellular telephones found.

#### Regarding Computers and Associated Items

Based on my training and experience computers and computer related storage and media can contain evidence and be used to further an investigation. I have seized and had analyzed computers in the past and evidence such as e-mails, photographs, and videos related to planning and commission of crimes has been located.. Also specific to this incident information already located on public areas of the internet such as MySpace indicates Mr. Loughner uses computers and that any computers located may contain evidence of this crime and its planning.

Also I and the other Deputies and Agents involved have had training and experience dealing with extremist groups and extremist individuals. These individuals and groups are known to educate themselves and communicate through the internet. They are also known to publish periodicals and create writings about their views and plans. Mr. Loughner's recent contacts with Police and school officials indicate a pattern consistent with this type of extremism.

#### Regarding Physical Characteristics and Forensic Processing of Mr. Loughner

Multiple witnesses have identified Mr. Loughner as a shooter in this situation and scene analysis and witness statements indicate he was close to the victims at the time he was

11 SW 0040

11 SW 0026

shooting. He was also eventually tackled and held down by victims in the case. All of this would indicate evidence may be located on his person or clothing. Evidence such as the weapon and casings have also been located at the scene. These items may yield forensic evidence such as fingerprints and D.N.A.. Obtaining physical characteristics from Mr. Loughner will allow comparison to these items.

Not applicable or requested

Based on the above facts your affiant requests that a search warrant be issued with respect to the above described person(s), premises, or thing(s).

*Chris Hogan #1233* 1840  
1/8/11  
1/8/2011  
Detective Christopher Hogan #1233  
Pima County Sheriff's Department

*Michelle Terwilliger*  
Special Agent Michelle Terwilliger  
Federal Bureau of Investigation

Sworn before me this 8<sup>th</sup> day of January, 2011.

*Christopher A. ...*  
Judge of the Superior Court

In The Superior Court, County of Pima, State of Arizona

[Federal Search Warrant Presented to State Court Judge Pursuant to Fed. R. Crim. P. 41(b)(1)]

PATRICIA A. NOLAN  
CLERK OF SUPERIOR COURT

FILED  
11 SW 0040  
11 JAN 19 AM 10 25

In the Matter of the Search of Electronic  
Evidence Seized Pursuant to Search  
Warrant for [REDACTED],  
Tucson, Arizona

CASE NUMBER:

D. WANDELL, DEPUTY

SEARCH AND SEIZURE WARRANT

TO: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of Arizona:

See Attachment A, incorporated by reference  
(The affidavit in support of this Search Warrant is herein incorporated by reference.)

The person or property to be searched, described above, is believed to conceal:

See Attachment B, incorporated by reference

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

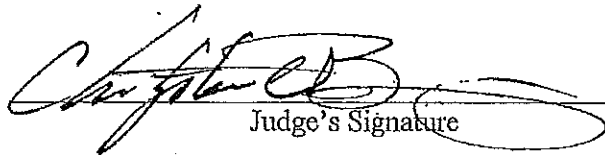
YOU ARE COMMANDED to execute this warrant on or before January 26, 2011, although examination of the contents can continue after that date. Fed. R. Crim. P. 41(e).

( ) in the daytime 6:00 a.m. to 10 p.m. (X) at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Pima County Superior Court Judge Christopher Browning.

Issued Pursuant to  
Fed. R. Crim. P. 41  
(b)(1). Date and time: January 12, 2011 Time: \_\_\_\_\_

  
Judge's Signature

City and state: Tucson, Arizona

Pima County Superior Court  
The Hon. Christopher Browning