

UNITED STATES DISTRICT COURT
for the
District of New Hampshire

United States of America
v.
KYLE HENDRICKSON

Case No. 1:23-mj-69-01-AJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 12, 2023 in the county of Rockingham in the
District of New Hampshire, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 875(c)

Interstate threatening communication

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

/s/ Paul W. Mullen

Complainant's signature

Paul W. Mullen, FBI Special Agent

Printed name and title

Sworn to via telephone conference.

Date: Apr 14, 2023

Andrea K. Johnstone



Judge's signature

City and state: Concord, New Hampshire

Hon. Andrea K. Johnstone, U.S. Magistrate Judge

Printed name and title

Affidavit in Support of a Criminal Complaint

I, Paul W. Mullen, depose and state as follows:

INTRODUCTION AND BACKGROUND

1. Since November 2008, I have been employed as a Special Agent of the Federal Bureau of Investigation (“FBI”). I am currently assigned to the Boston Division, Hampton, New Hampshire Resident Agency and work in the violent crime program, which includes firearm violations, bank robberies, and Internet based threats to life. From January 2021, through January 2022, I worked on the FBI New Hampshire Joint Terrorism Task Force, investigating domestic terrorism and violent white supremacy extremists. Prior to this, from October 2017 through January 2021, I was the leader of the New Hampshire Safe Streets Gang Task Force, investigating violent crimes, firearms violations, drug violations, criminal gangs and organized crime. From February 2016 through October 2017, I was assigned as a Task Force Agent to the Drug Enforcement Administration (DEA), New Hampshire Heroin Strike Force, Manchester Division Office, Bedford, New Hampshire, investigating drug distribution enterprises and overdose death cases. From 2009 through 2015 I worked on national security and counterintelligence investigations. I am also a trained member of the FBI Evidence Response Team. I have prepared and sworn to search warrant and arrest warrant affidavits for the FBI related to these investigations. I have executed search warrants and arrest warrants which have resulted in the seizure of evidence and individuals. I have acquired experience in these investigations through training at the FBI Academy in Quantico, Virginia, and by conducting investigations in the field. Prior to being a Special Agent with the FBI I was employed as a Trooper with the New Hampshire State Police. I am also an attorney licensed to practice in the State of New Hampshire and State of Maine.

2. Based on my training, experience, and information provided to me by other law enforcement officers, I am familiar with the modus operandi used by individuals engaged in the violation of various federal offenses. For example, I have handled many cooperating sources and witnesses who have provided information to me specifically related to narcotics and firearms offenses. I have also reviewed court-authorized wiretap intercepts between drug traffickers, individuals engaged in violations of the Federal Firearms Act, individuals conspiring to commit armed robberies, and individuals engaged in the violation of other federal offenses. Many of these investigations have resulted in the execution of search warrants, arrest warrants, and eventual convictions.

3. The information set forth in this affidavit is based on my personal participation in this investigation, as well as my training and experience, and information received from other law enforcement officers. I have not set forth every detail I or other law enforcement agents know about this investigation but have set forth facts that I believe are sufficient to evaluate probable cause for the issuance of the requested complaint.

4. I submit the facts below to establish probable cause to believe that Kyle HENDRICKSON has committed the crime of making a threat in interstate communication, in violation of 18 U.S.C. § 875(c).

RELEVANT LAW

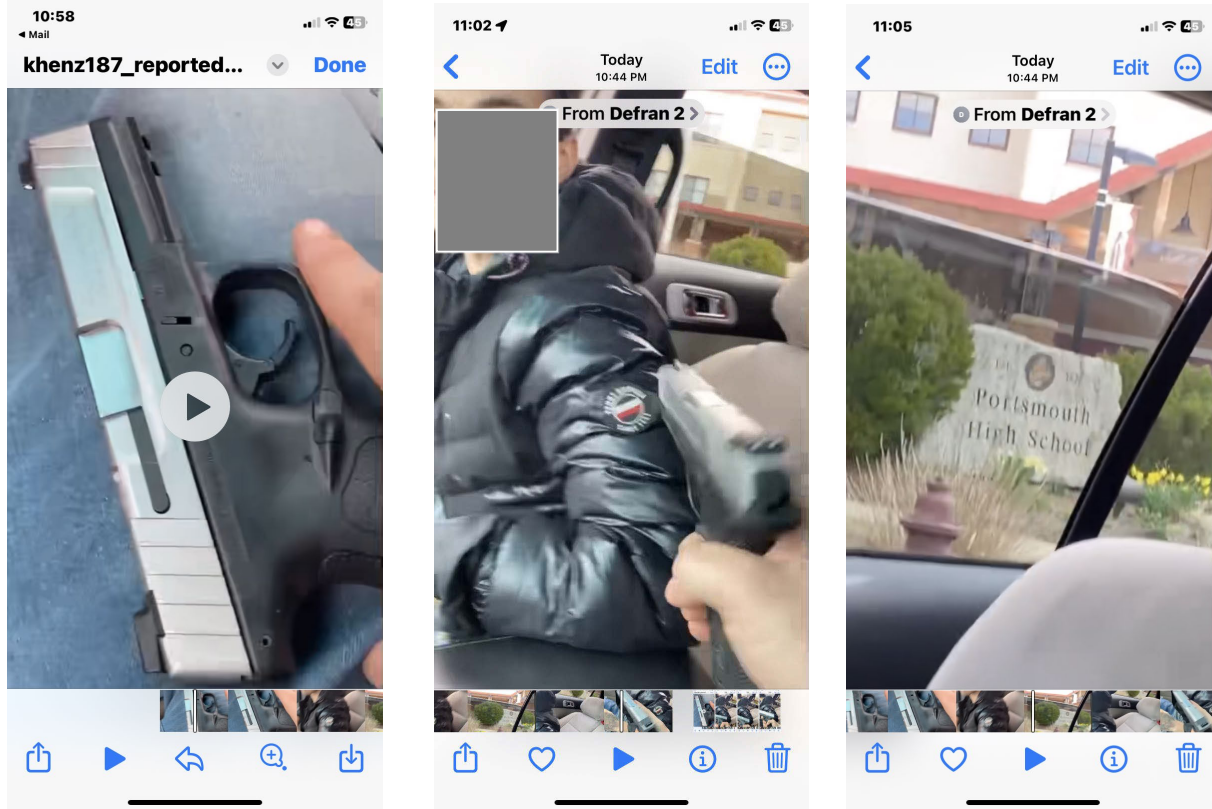
5. Title 18, United States Code, Section 875(c) provides that “Whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.”

PROBABLE CAUSE

6. On April 12, 2023, at approximately 3:34 PM Eastern Time, the FBI National Threat Operations Section (NTOS) Social Media Exploitation (SOMEX) Team received information from SnapChat regarding a school shooting threat posted by account “khenz187.”

7. SnapChat is an online social media application that allows users worldwide to communicate with each other through the sharing of video or pictures, including video shared in real-time, via the Internet. From my law enforcement training and experience I know SnapChat is most commonly accessed using a cellular phone.

8. Specifically, the post was a short video of a male sitting in the driver’s seat of a vehicle, holding a handgun with his right hand while apparently filming with his left hand. After panning from the handgun to another male in the front passenger seat, the video briefly zooms in on a school sign through the car window that clearly states “Portsmouth High School.” The individual who is filming the video holds up a pistol and waves it at the other male. The SnapChat poster added a text overlapping on the video that reads “imma shoot up the school.” At no point is the face of the individual holding the phone visible. Still shots of the video are below:



9. Snapchat reported the media was posted on April 12, 2023 at approximately 15:06:23 UTC and provided the following subscriber information for account “khenz187”:

Snapchat ID: khenz187
Email address: [REDACTED]yahoo.com
Telephone number: [REDACTED] 4584
Display Name: Kyyle
Listed Birthdate: [REDACTED]
IP addresses: [REDACTED]

10. Based on that information, SOMEX was able to identify Kyle HENDRICKSON of Berwick, Maine, as the user associated with the “khenz187” Snapchat account. Additional investigative methods revealed that the phone number provided to Snapchat was a Tracfone number that had limited subscriber information just identifying Berwick, Maine as the user’s address.

11. The handgun in the SnapChat video is a semi-automatic pistol with a silver slide and black frame and grip. The words “Smith & Wesson” over the words “Springfield MA USA” are stamped on the slide of the pistol.

12. Portsmouth, New Hampshire Police were able to confirm on school security video that at approximately 11:10 AM on April 12, 2023, a white SUV was parked in the area in front of the Portsmouth High School as depicted in the SnapChat video.

13. Portsmouth Police obtained a state search warrant for the “khenz187” SnapChat account and reviewed the results using Cellebrite Physical Analyzer and found that at 15:06 on April 12, 2023, the above-described video with the caption “Imma shoot up the school” was sent to numerous other users, including amanda.htx713; Smokkahyessah; Robster_kbridge; Betttthhy; Glasspacks1500; Flowmasterkev; A_4zaht2019; Evanwalker1337; and Zacdodgeram.

14. Portsmouth Police identified and interviewed the male passenger, Duncan O’Brien, who is seen sitting in the front passenger seat in the SnapChat video.

15. O’Brien advised the Portsmouth Police that on April 12, 2023, Kyle HENDRICKSON picked O’Brien up in a white SUV.

16. O’Brien advised that HENDRICKSON drove HENDRICKSON’s mother, Michelle Almon, to the Portsmouth High School and that once Almon got out of the SUV and went into the school HENDRICKSON told O’Brien that he was going to film an awesome video.

17. O’Brien stated that HENDRICKSON then proceeded to make the gun video with his cell phone.

18. O’Brien noted that he was uncomfortable with HENDRICKSON brandishing the silver and black handgun, but that he did not believe HENDRICKSON posed a threat to Portsmouth High School and did not know the video was shared on the Internet.

19. Further review of the “khenz187” SnapChat state search warrant results by the Portsmouth Police identified another video on April 13, 2023, of O’Brien also holding a handgun in the car with HENDRICKSON.

20. Portsmouth Police interviewed Almon, who confirmed she was dropped by HENDRICKSON at the Portsmouth High School and that she had later received a message from HENDRICKSON stating that he was in trouble and that he had made a threat. HENDRICKSON did not respond to Almon on Facebook Messenger when she replied.

21. On April 13, 2023, Portsmouth Police located a picture of a white SUV on HENDRICKSON’s Facebook page on the lot of a dealership with the words “Lee Collision” on the building. Portsmouth PD confirmed the business to be Lee Auto Mall, Auburn, Maine, and confirmed with the business that HENDRICKSON purchased a 2014 White Ford Explorer on April 10, 2023, and was given a Maine temporary license plate 260 5792. HENDRICKSON provided Lee Auto Mall with a residence address of [REDACTED] Portland, Maine.

22. On April 13, 2023, at approximately 2 PM, HENDRICKSON was located and arrested on New Hampshire state charges by Portland Maine Police as he was sitting in the driver seat of the 2014 White Ford Explorer, with Maine temporary license plate 260 5792, registered to HENDRICKSON and his girlfriend, Ashley Slaughter. The Ford Explorer was parked in front of Slaughter’s residence, [REDACTED] Portland, Maine. Slaughter was sitting in the passenger seat at the time of HENDRICKSON’s arrest.

23. Prior to being read *Miranda* rights, as HENDRICKSON was being taken into physical custody by FBI SA Adam Morin, HENDRICKSON stated that he threw the pistol away and it was in Maine. HENDRICKSON advised that Slaughter specifically knew where the handgun was and to ask her because he was not familiar with the area. HENDRICKSON stated

to the affiant that his cell phone was in the center console of his Ford Explorer and that he had more guns in the rear of the Ford Explorer, as well as another gun under the mattress in the residence of Slaughter.

24. HENDRICKSON was allowed to speak with Slaughter, who then agreed to take the affiant and TFO Michael Kotsonis to where she disposed of the silver and black handgun from the SnapChat video.

25. Slaughter directed the affiant to the Hotel 44 North, 500 US-1, Freeport, Maine, and advised that she and HENDRICKSON had stayed at the hotel the previous night until approximately 4 AM. Slaughter advised that she did not want to be around the handgun HENDRICKSON had so she put it in the woods behind the hotel.

26. The affiant and TFO Kotsonis found the silver and black Smith & Wesson SD40VE handgun, serial number FYE6632, exactly where Slaughter pointed out. The handgun was loaded with a 40 caliber S&W Blazer bullet and not in a holster. The S&W ammunition magazine inserted in the handgun had an additional nine rounds of the 40 caliber S&W Blazer ammunition.

27. After being read *Miranda* rights by SA Morin, HENDRICKSON agreed to waive his rights and he stated that the video was a joke. HENDRICKSON did not elaborate on why or how he created the video. HENDRICKSON stated he was at the Portsmouth High School with his friend to pick up a relative's car keys. HENDRICKSON noted that his relative attended the Portsmouth High School and that he would never do "that" since the relative went to school there. HENDRICKSON stated that there was a shotgun and AR-15 rifle in the back of his SUV. HENDRICKSON obtained the firearms through a private sale with a male he identified. HENDRICKSON noted that the same seller sold him the shotgun, AR-15, and pistol for a BMW

vehicle. HENDRICKSON also stated that he usually doesn't carry a pistol, but had that the one from the SnapChat video on him because he had just bought it. HENDRICKSON advised that he carried the pistol with a plastic type of holster on his hip. HENDRICKSON also said that having body armor in his SUV was not a good idea.

28. Portland Police obtained a state search warrant for the 2014 White Ford Explorer, with Maine temporary license plate 2605792, VIN 1FM5K8D82EGA00400, and recovered in the center console a 556 magazine; thirteen rounds of 40 caliber Smith & Wesson ammunition contained within a handgun magazine; a black cell phone in a black case; and a brown wallet with a Maine driver's license for Kyle HENDRICKSON.

29. On the front passenger floor of the white Ford Explorer was a black outside waist handgun holster.

30. On the rear passenger floor of the Ford Explorer was a Kittery Trading Post bag with four boxes of assorted ammunition.

31. On the rear center floor of the Ford Explorer was a Sig Romeo 7 red dot sight for a Modern Sporting Rifle a/k/a MSR platform. Also found in the rear of the Explorer were six buckshot shotgun rounds and a box of 22 caliber rim fire ammunition.

32. In the back trunk area of the Ford Explorer, the Portland Police found camouflage body armor; a box of fifty rounds of 40 caliber Smith & Wesson ammunition; a box of five shotgun rounds; an unloaded Chiappa Firearms shotgun, serial number SRCD-USA03220044; and an unloaded Radical 5.56 RF15 assault rifle, serial number 21-100277.

33. Portland Police obtained a state search warrant for Slaughter's residence [REDACTED] [REDACTED] Portland, Maine, and recovered a shotgun, Serial number 6289A20, under the mattress in the bedroom as previously advised by HENDRICKSON.

CONCLUSION

34. Based on the foregoing, I submit that there is probable cause to believe that HENDRICKSON made the above-referenced threat in an interstate communication, in violation of 18 U.S.C. § 875(c).

/s/ Paul W. Mullen
Paul W. Mullen, Special Agent
Federal Bureau of Investigation

The affiant appeared before me by telephonic conference on this date pursuant to Fed. R. Crim. P. 4.1 and affirmed under oath the content of this affidavit.

Andrea K. Johnstone



HON. ANDREA K. JOHNSTONE
United States Magistrate Judge