

UNITED STATES DISTRICT COURT

for the

District of Connecticut

United States of America
v.

Christopher James Rascoll

Case No.

3:20MJ_475 (RMS)

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 11/24/2019 to 5/28/2020 in the county of Fairfield in the District of Connecticut, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 875(c) Threatening Communications and 42 U.S.C. § 3631(a) Interference with the Right to Fair Housing.

This criminal complaint is based on these facts:

See attached Affidavit of Ron Offutt, Special Agent, Federal Bureau of Investigation (FBI).

Continued on the attached sheet.

Handwritten signature of Ron Offutt

Complainant's signature

Ron Offutt, SA, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (specify reliable electronic means).

Date: 05/29/2020

Robert M. Spector

Digitally signed by Robert M. Spector Date: 2020.05.29 17:36:13 -04'00'

Judge's signature

City and state: New Haven, Connecticut

Hon. Robert M. Spector, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

IN THE MATTER OF A CRIMINAL
COMPLAINT AND ARREST WARRANT
FOR CHRISTOPHER JAMES RASCOLL

Case No. 3:20-MJ-0475 (RMS)

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT, ARREST WARRANT, AND SEARCH WARRANT**

I, Ron W. Offutt, a Special Agent with the Federal Bureau of Investigation, having been duly sworn, state:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed by the Federal Bureau of Investigation (“FBI”) since 1989. I am currently assigned to the FBI Field Office in Bridgeport, Connecticut. As an FBI Special Agent, I have participated in investigations of various federal offenses, including Civil Rights violations. During the course of my career, I have received training and gained experience in interview techniques, debriefing victims, evidence gathering, arrest warrant applications, the execution of arrest warrants, and various federal criminal laws and procedures. Through my training, education, and experience, I have become familiar with the manner in which various federal offenses can be committed. In addition, I have been the affiant on a number of criminal complaints and arrest warrant applications.

2. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), in that I am empowered by law to conduct investigations and to make arrests for offenses enumerated in Title 18. I am also a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41 (a)(2)(C), that is, a government agent authorized to enforce criminal laws and duly authorized by the Attorney General to file a criminal

complaint and request an arrest warrant.

3. I am the case investigator responsible for the ongoing investigation of CHRISTOPHER JAMES RASCOLL (“RASCOLL”) for violations of 18 U.S.C. § 875(c) (Threatening Communications) and 42 U.S.C. § 3631(a) (Interference with the Right to Fair Housing) (collectively the “Target Offenses”). I make this affidavit in support of a criminal complaint and application for an arrest warrant for RASCOLL.

4. I base this affidavit upon my personal knowledge and observations, upon information and documents provided to me by other investigators assigned to this investigation, upon information provided by the Stratford, Connecticut and Orangetown, New York Police Departments, the Rockland County Sheriff’s Department Intelligence Center, and upon information and documents provided by third parties. I have not included each and every fact known to me of the investigation; rather, I have submitted sufficient information to establish probable cause for the requested arrest warrant.

RELEVANT STATUTES

5. Title 18 U.S.C. § 875(c) prohibits a person from transmitting in interstate or foreign commerce any communication containing any threat to injure the person of another. The statute also prohibits a person from attempting and conspiring to do the same.

6. Title 42 U.S.C. § 3631(a) prohibits a person from using or threatening use of force to injure, intimidate, or interfere with, or attempt to injure, intimidate, or interfere with any person’s housing rights because of that person’s race, color, religion, sex, handicap, familial status, or national origin. The housing rights enumerated by the statute include the right to (1) sell, purchase, or rent a dwelling; (2) occupy a dwelling; (3) finance a dwelling; (4) contract or negotiate for any of the aforementioned rights; and (5) apply for or participate in any service, organization,

or facility related to the sale or rental of dwellings.

PROBABLE CAUSE

7. RASCOLL, the target of the investigation, is a 48-year-old man known to live at various locations in Connecticut and New York, including homeless shelters. RASCOLL has expressed hatred of Jewish people. As will be outlined in more detail below, beginning on or about November 24, 2019, and continuing to on or about May 28, 2020, RASCOLL has focused on threatening, harassing, and intimidating a victim (“the Victim”) whose identity is known to me. The Victim lived in the same housing community in Connecticut as RASCOLL’s mother, and is Jewish. During all relevant times, the Victim lived in Connecticut. RASCOLL has repeatedly threatened to murder the Victim through text messages (“texts”), calls, and social media posts. Only a portion of these threats are included in the instant affidavit.

8. As described below, there is probable cause to believe, and I do believe, that RASCOLL committed the Target Offenses, based on the texts, calls, and voicemails received by the Victim, as well as RASCOLL’s in-person interactions with the Victim.

9. On April 13, 2020, the United States Attorney’s Office, District of Connecticut, received a complaint from the Victim regarding anti-Semitic threats made by RASCOLL. I interviewed the Victim who stated that during the summer months of 2019, he/she first met RASCOLL at a community clubhouse and swimming pool in his/her 55+ community in Stratford, Connecticut. The Victim had conversations with RASCOLL at the pool approximately six times over the summer. The Victim did not otherwise engage with RASCOLL outside these encounters at the pool. During this time, the Victim learned from RASCOLL that he lived with his mother, who also had a unit in the community. The Victim shared stories about his/her past, including his/her Jewish faith and that relatives of his/hers were murdered in the Holocaust. RASCOLL

talked about his problems with his mother not allowing him to drive her car and that he felt trapped in her home. The Victim also talked with RASCOLL about the physical pain associated with his/her back issues. RASCOLL gave the Victim his email address, which was christopher.rascoll@gmail.com.

10. The last time the Victim saw RASCOLL at the pool was approximately August of 2019. On or about November 24, 2019, RASCOLL began making threatening posts on Facebook directed at the Victim from a Facebook account that law enforcement has attributed to RASCOLL. Specifically, RASCOLL wrote, on a Facebook account under username Christopher Cassidy Demaio Capra: “Trust me when I say this, little poison [the Victim] on The South Side. You’re not tough, you’re not powerful, you’re not Jewish, you’re not a Jersey [Victim’s gender], you’re not a [Victim’s gender], and you’re not human. You will surrender before 11:00am tomorrow, and you will tell the truth, or you will be forced out of your home and community by the law. You will be forced out of [community name]. This is your final warning before a war erupts.”

11. I have reviewed several posts that are publicly visible on the Christopher Cassidy Demaio Capra Facebook account that contain “selfie” style photographs of RASCOLL. One was posted by him on the same day of this post. Thus, I believe that RASCOLL wrote this threatening post directed at the Victim.

12. On December 23, 2019, which was the first day of the Jewish holiday Hanukkah, at about 4:44pm, the Victim received texts from OpenTextingOnline.com, a free texting Internet site, that read in part:

[W]ant to see you get humiliated and crushed. That back of yours couldn't [sic] take it . . . Suns about to go down. It would be a shame if your house were used to light the menorah. Or turned in a gas chamber. It would be just HOR-RIBLE if you slipped and fell and had to go to the Hospital. If they even take you. You might bring in diseases. . . . I suggest you grab your Kool Aid and leave town quickly.

13. I know that the Menorah is a symbol closely associated with the Jewish celebration of Hanukkah. I also know that gas chambers were used by the Nazi regime in the 1940s to execute millions of Jewish people. RASCOLL's use of such references is anti-Semitic. The Victim reported this message, and all the others referenced herein, to the Stratford Police Department.

14. OpenTextingOnline.com has confirmed that a message was sent via their system to the Victim on this date and time. The Internet Protocol address associated with the originator's electronic device is traceable to New York City, New York, which is one of the locations where RASCOLL is known to live.

15. At about 5:10pm, on the same day, the Victim received an iMessage on his/her Apple iPhone from RASCOLL containing a cartoon image of Tanya Harding holding a tire iron and a cartoon image of Al Sharpton. The Victim had RASCOLL's email address, christopher.rascoll@gmail.com, saved in his/her phone under the name "Chris." I have learned that iMessaging is a type of communication only between Apple products, and a sender's iCloud account and email address are associated with iMessages. When "Chris" came up on the Victim's phone when RASCOLL iMessaged the Victim, it was likely because the Victim had RASCOLL's email address saved in his/her phone under the contact name "Chris." During all times relevant in this affidavit, the Victim had an Apple device.

16. The Victim believed that both the OpenTextingOnline.com texts and iMessage he/she received that day were from RASCOLL. I also believe that the OpenTextingOnline.com

texts and the iMessage were from RASCOLL for the following reasons: (1) the messages were only sent 26 minutes apart; (2) the iMessage came up on the Victim's phone as sent from the email address that RASCOLL gave him/her, christopher.rascoll@gmail.com; (3) the threats and tone of the messages were very similar; and (4) information I obtained from Apple Inc. ("Apple") further connected RASCOLL to the iMessage, as discussed in detail below.

17. On May 7, 2020, I requested an administrative subpoena be issued to Apple. On May 20, 2020, Apple confirmed that RASCOLL has a "Full iCloud" account registered with Apple ID christopher.rascoll@gmail.com, in the name of Christopher RASCOLL. The account was created on March 12, 2017. Apple reported that since inception RASCOLL has used iMessage.

18. On April 3, 2020, RASCOLL posted the following comment on the same Facebook account discussed above: "Just bought my first gun." I discovered that this post has since been removed. However, the Rockland County, New York, Sheriff's Department Intelligence Center had been monitoring RASCOLL's posts as part of its ongoing investigation of his similar threatening activity involving citizens in their jurisdiction, and they provided a copy of the post to the FBI.

19. On the same day, the Victim began receiving threatening texts from the phone number (845) 893-0965. One message received that day read: "Tell the truth and surrender or pack your bags and be gone from [housing community]. So surrender before you get killed. If I have to come to your house I will."

20. Sprint PCS records for the period April 3, 2020, through April 18, 2020, identify RASCOLL as the registered user of (845) 893-0965. These records were obtained by the Stratford Police Department and shared with the FBI. The records provide an "establish date" of the account as January 30, 2020.

21. On or about April 8, 2020, RASCOLL sent the following text messages to the Victim from (845) 893-0965:

DATE	FROM	TEXT MESSAGE
April 8, 2020	(845) 893-0965	“Seriously you [slur directed at Victim’s gender]. I’m going to kill you. You better be gone because if you’re in [Victim’s housing community] Easter weekend I’m going to stick you in an oven. Or I’m going to shoot you. You’re very TINY nobody. I will burn your house down with you in it you fucking trash [slur directed at Victim’s gender]. I will kill you. Please go back to Jersey before I shoot you and burn you in the Pine Barrens. Please call the police. I dare you b[.] I’m back in [Victim’s housing community] this weekend and you’re dead if you’re there. I should send you to a concentration camp.”

RASCOLL’s statements about a concentration camp and sticking the Victim in an oven are anti-Semitic comments. Jewish people were sent to concentration camps during the Holocaust and then burned in cremation furnaces. In addition, I have learned that the Pine Barrens located in New Jersey encompass over one million acres of protected forest, and several stories exist about mob-style murder victims being buried there because of its remoteness. This is relevant because the Victim had spoken with RASCOLL about the Victim’s childhood growing up in New Jersey.

22. On April 9, 2020, at about 3:51pm, RASCOLL texted the Victim, via the (845) 893-0965: “I’ll shoot you in the head with a semi-automatic and blow your house and car up.”

23. On April 10, 2020, at about 9:21am, RASCOLL texted the Victim, via (845) 893-0965: “I have a gun. And a license to carry it. I will shoot you dead in self-defense.” At about 12:43pm later that day, RASCOLL left a voicemail on the Victim’s phone, via (845) 893-0965. It included him saying, “I’ll blow your fucking car up. You’ll know what fucking Auschwitz is like. You claim to be Jewish? You’re not a Jew. You’re a disgrace. You’re Satan. I will blow your house and your car up. I will fucking kill you.” The reference to Auschwitz is anti-Semitic. Auschwitz was a concentration camp where Jewish people were killed in gas chambers.

24. On April 17, 2020, at about 5:47pm, the Victim received a voicemail from RASCOLL via (845) 893-0965 where he says, "I will fucking kill you. Do you want to be shot dead? Because I can arrange that. I will shoot you in your fucking head. You are going to be buried in the fucking Pine Barrens. You go near my mother's house I will shoot you in the head." Less than an hour later, at about 6:13pm, the Victim received another voicemail from RASCOLL via (845) 893-0965 where he says, "You're going to go down the fucking stairs and you're going to get a fucking broken back again, bitch. I will fucking kill you."

25. On April 30, 2020, at about 3:54pm, the Victim received a voicemail from RASCOLL via (845) 893-0965 where he says, "I will fucking shoot you dead with a bullet in your head."

26. The Victim told the FBI that she/he recognized RASCOLL's voice in the voicemails and described his tone as very angry. I have listened to the voicemails and would also describe RASCOLL's tone as angry. RASCOLL also raises his voice when speaking the threatening words he directs at the Victim.

27. On May 2, 2020, at about 3:20pm, the Victim received a text from RASCOLL via (845) 893-0965 that read, "Mind my business again and I'll break your skull open with a golf club."

28. On May 5, 2020, at about 6:15pm, the Victim received a text from RASCOLL via (845) 893-0965 that read in part:

DATE	FROM	TEXT MESSAGE
May 5, 2020	(845) 893-0965	“Bitch I’m coming up there this week and I’m gonna shoot you in your fucking head. . . . I will fucking KILL U U [slur directed at the Victim’s gender]. . . . ILk [sic] blow your fucking car and house up . . . You’re out. I’m gonna shoot you in your head. . . Say your goodbyes [sic] to your family.” ¹

29. On May 19, 2020, at about 10:47pm, the Victim received texts from RASCOLL via (845) 893-0965 that read in part:

DATE	FROM	TEXT MESSAGE
May 19, 2020	(845) 893-0965	“You’re gonna die. I’ll blow your fucking house and car up. . . . Call the police. I fucking DARE YOU TO. . . . I’m back in this weekend. Whether you or my mother like it or not. I’ll shoot you dead in front of a cop..”

30. On May 20, 2020, at about 6:43am, the Victim received the following text message from RASCOLL via (845) 893-0965: “You better watch your step. Would be a shame if you fell off a ladder. Or got pushed. Go back to Jersey and work a program because if I see you this weekend I’m going to break your legs tiny [sic].”

31. On May 27, 2020, at about 9:22pm, the Victim received the following text message from RASCOLL via (845) 893-0965 that reads in part:

You better pack your shit and move the fuck out of [Victim’s community] before your forced. No one can keep me out. . . . I’ll be there whenever I feel like it. The Stratford Police CANNOT and WILL not stop me from entering the house and the pool. Neither will security. If you go near my mothers [sic] house, speak to her, mind our family business, or spread blatant lies about us, things won’t end well for you. . . . You have choices to make. Jail, institution, or death. I will ruin you and I will take you down. You’re a [slur at Victim’s gender] and a queer. . . . This is your last warning.

¹ On May 27, 2020, I obtained historical cell site location data for RASCOLL’s (845) 893-0965 number from Sprint pursuant to a search warrant. The data covered May 5, 2020 as well as the following week. A review of this data appears to show that RASCOLL was not in Connecticut on May 5, 2020, or the following week. Rather, the data provides that he was principally in the East Harlem section of Manhattan, New York City, New York from May 5-11, other than May 7, when he was in the location of the Nyack Hospital in Nyack, New York.

Because you WILL be arrested or you'll be killed if you don't check yourself into rehab.

32. Lastly, on May 28, 2020, at about 8:41 am, the Victim received the following text message from RASCOLL via (845) 893-0965: "Do you WANT me to come to your door, [Victim name]. Mind your fucking business. And stay out of my families [sic]. You piece of garbage. I'm having you arrested. You fell into another trap."

33. As a result of RASCOLL's threats, the Victim fears for his/her life as well as the lives of the Victim's family members living with the Victim. The Victim has contacted the local police on numerous occasions and reported the harassment, and has even asked for occasional drive-bys of his/her home by the police. The Victim made the same request of his/her community's security office and the president of the community association. As a result of RASCOLL's threats, the Victim has suffered significant emotional distress. The Victim no longer sleeps well without the aid of medication. The Victim has attended multiple trauma therapy sessions and is continuing this treatment. The Victim no longer walks his/her dog alone. When she/he does leave his/her home she/he now takes a can of mace. The Victim has also obtained an Emotional Support Therapy certificate for one of his/her dogs to accompany the Victim wherever he/she goes, including the grocery store, medical appointments, and shopping centers. The Victim and his/her spouse have also taken a personal handgun training and safety course. They previously purchased a shotgun which remains in their possession today.

CONCLUSION

34. Based on my knowledge, training and experience, and the facts set forth in this affidavit, I respectfully submit that there is probable cause to believe, and I do believe that, in the District of Connecticut and elsewhere, RASCOLL committed the Target Offenses:

35. On or about May 5, 2020, in the District of Connecticut and elsewhere, RASCOLL transmitted in interstate commerce any threat to injure the person of another, specifically, the following threat:

DATE	FROM	TEXT MESSAGE
May 5, 2020	(845) 893-0965	“Bitch I’m coming up there this week and I’m gonna shoot you in your fucking head. . . . I will fucking KILL U U [slur directed at the Victim’s gender]. . . . Ilk [sic] blow your fucking car and house up . . . You’re out. I’m gonna shoot you in your head. . . Say your goodbyes [sic] to your family.”

36. On or about May 19, 2020, in the District of Connecticut and elsewhere, RASCOLL transmitted in interstate commerce any threat to injure the person of another, specifically, the following threat:

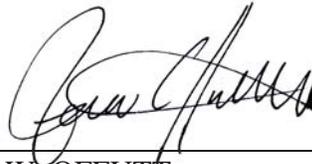
DATE	FROM	TEXT MESSAGE
May 19, 2020	(845) 893-0965	“You’re gonna die. I’ll blow your fucking house and car up. . . . Call the police. I fucking DARE YOU TO. . . . I’m back in this weekend. Whether you or my mother like it or not. I’ll shoot you dead in front of a cop.”

37. On or about April 8, 2020, RASCOLL, by threat of force, willfully intimidated and interfered with, and attempted to intimidate and interfere with, any person, specifically the Victim, whose identity is known to law enforcement, because of his or her religion and because he or she had been occupying any dwelling, and such acts included the threatened use of a dangerous weapon, explosives, and fire, specifically:

DATE	FROM	TEXT MESSAGE
April 8, 2020	(845) 893-0965	“Seriously you [slur directed at Victim’s gender]. I’m going to kill you. You better be gone because if you’re in [Victim’s housing community] Easter weekend I’m going to stick you in an oven. Or I’m going to shoot you. You’re very TINY nobody. I will burn your house down with you in it you fucking trash [slur directed at Victim’s gender]. I will kill you. Please go back to Jersey before I shoot you and burn you in the Pine Barrens. Please call the police. I dare you b[.] I’m back in [Victim’s housing community] this weekend and you’re dead if you’re there. I should send you to a concentration camp.”

38. I thus respectfully request that the Court issue a criminal complaint and arrest warrant for RASCOLL.

Respectfully submitted,



RON W. OFFUTT
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

The truth of the foregoing affidavit has been attested to me by Special Agent Ron W. Offutt over the telephone on this 29th day of May, 2020, at New H.

Robert M. Spector Digitally signed by Robert M. Spector
Date: 2020.05.29 17:35:35 -04'00'

HONORABLE ROBERT M. SPECTOR
UNITED STATES MAGISTRATE JUDGE