

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Daniel Snyder, Special Agent with the Federal Protective Service, being duly sworn, deposes and states under penalty of perjury that the following is true to the best of my information, knowledge and belief.

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent with the United States Department of Homeland Security (DHS), Federal Protective Service (FPS) since August 2020 and am currently assigned to the FPS Region 8 office in Denver, Colorado. Prior to this employment, I served as an FPS uniformed law enforcement officer beginning in 2014. I have training and experience in conducting federal criminal investigations and have worked criminal matters involving terrorism, violent criminal offenses, destruction of property, theft of property, threats against government officials, assaults, and other criminal offenses.

2. This affidavit is submitted in support of a criminal complaint charging Harold R. ORTIZ, with influencing, impeding, or retaliating against a Federal official or anyone under section 1114 of this title while engaged in or on account of the performance of official duties, by threatening, in violation of 18 U.S. Code §115(a)(1)(B).

3. The facts set forth in this affidavit are based on my personal involvement in this investigation, training and experience, my review of relevant evidence, and information supplied to me by other law enforcement officials and private persons. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part and are not intended to be a verbatim recitation of such statements. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of an arrest warrant for ORTIZ, I have not set forth every fact learned during this investigation.

STATUTE

4. 18 U.S. Code §115(a)(1)(B), prohibits any person from influencing, impeding, or retaliating against a Federal official or anyone under section 1114 of this title while engaged in or on account of the performance of official duties, by threatening.

SUMMARY OF INVESTIGATION AND PROBABLE CAUSE

5. On February 26, 2021, a Social Security Administration Claims Specialist (CS) received a call from a an individual, identified over the phone by social security number, name, date of birth, place of birth, mother's name, and physical address as ORTIZ. ORTIZ was calling to inquire about his upcoming March SSA benefits check. The CS advised ORITZ that he was no longer entitled to receive benefits and that the Social Security Administration sent him numerous notices in the mail explaining that.

6. The CS stated ORTIZ began yelling and demanding to speak with a manger. When ORTIZ continued to yell, the CS advised him that she would have to disconnect the call if he did not calm down. The CS stated ORTIZ then yelled "You fucking bitch! You cunt! I'm going to stand outside your building and blow all of your fucking heads off! You're dealing with a crazy person!"

7. The CS attempted to initiate the "call trace" feature on her phone, which allows CS to record the conversation. The system malfunctioned and notified ORTIZ that the call was attempting to be recorded. ORTIZ became more upset and the CS stated the system kept repeating "If you'd like to hear your recording, press one". In an attempt to stop the system from repeating the CS tried to disable "call trace", but subsequently disconnected the call with ORTIZ.

8. The CS advised the District Manager (DM) about the incident that occurred. The DM stated ORTIZ called back a few moments after being disconnected with the CS and the call was transferred to the DM.

9. The DM advised ORTIZ he was aware of the threats he had made to the CS he was speaking to previously and that will not be tolerated. ORTIZ stated that he was crazy and the CS should know

how to talk with crazy people. The DM assisted ORTIZ with his claim and provided him with information he needed to dispute the decision to end his benefits.

10. The DM once again advised ORTIZ that he cannot threaten Social Security Administration employees. ORTIZ responded by telling the DM “Denver PD will not come to my house because they know I will kill them! They know I am crazy!” the DM then ended the call.

11. The DM made the decision to close the Social Security Administration Office at 1500 Champa Street, Denver, CO based off of the threat that was made. As of March 2, 2021, the office is still closed.

12. On March 2, 2021, partial audio evidence was obtained supporting the allegation. The audio recording malfunctioned, but audio was captured of the CS stating “ok, give me just a moment”, and ORTIZ responding ““fuckin stupid people, man, ohh, cops can’t even come over to my house ‘cause I’ll kill them too mother fucker”.

13. Based on the aforementioned information your affiant believes that there is probable cause to conclude that on February 26, 2021, Harold R. Ortiz, violated Title 18, United States Code, Section 115(a)(1)(B), which prohibits any person from influencing, impeding, or retaliating against a Federal official or anyone under section 1114 of this title while engaged in or on account of the performance of official duties, by threatening.

\\

\\

\\

\\

\\

I, Daniel Snyder, being duly sworn according to law, depose and say that the facts stated in the foregoing affidavit are true and correct to the best of my knowledge, information and belief.

s/ Daniel Snyder _____
Daniel Snyder
Special Agent, Federal Protective Service

Submitted, sworn to, and acknowledged by reliable electronic means on March ³~~2~~, 2021.

 _____

HON. S. KATO CREWS
United States Magistrate Judge
District of Colorado

Application for search warrant was reviewed and is submitted by Sonia J. Dave, Special Assistant United States Attorney.