

AFFIDAVIT OF PROBABLE CAUSE IN SUPPORT
SEARCH AND SEIZURE WARRANT

Your Co-Affiants, Trooper Glenn D. HOPEY and Corporal Gregg J. KRAVITSKY, being duly sworn according to law, state:

A. CO-AFFIANTS

Your Co-Affiant, Trooper Glenn D. Hopey, is a member of the Pennsylvania State Police and has been employed by the Pennsylvania State Police since 1988. Since 1994 I have been assigned to the Bureau of Criminal Investigation, Special Investigations Division, Organized Crime Task Force in Philadelphia, Pennsylvania. In your Affiant's present position as an investigator, I am responsible for conducting undercover and covert investigations of corrupt organizations relating to racketeering activities as defined by Section 911 of Title 18, PA Consolidated Statutes within the Commonwealth of Pennsylvania.

In my capacity as a Trooper, I have participated in criminal investigations that have resulted in arrests for violations of the Title 18, PA Consolidated Statutes. In conducting these investigations, I have utilized numerous investigative techniques such as: interviewing victims, witnesses and suspects/defendants, execution of search warrants, use of informants, physical surveillance, grand jury proceedings and the use of consensual and non-consensual interceptions of communications within the parameters of the Pennsylvania Wiretapping and Electronic Surveillance Control Act.

While assigned to the Bureau of Criminal Investigation, I have participated in numerous investigations and/or made arrests pertaining to illegal criminal enterprises and organized crime, including: organized theft groups, large-scale fencing operations and fraud, organized prostitution, illegal gambling and bookmaking, organized burglary and robbery groups, drug act violations, cellular telephone fraud, racketeering, vice and administrative and law enforcement corruption.

Relevant training with the State Police includes the Class "A" Certification Course for Wiretapping and Electronic Surveillance conducted by the Pennsylvania State Police and Pennsylvania Office of the Attorney General in 1994. I was certified to employ such techniques while conducting criminal investigations, maintaining a certification number of A-2074. Since obtaining the Class "A" certification, I have participated in at least ten nonconsensual wiretap investigations in both the monitor and surveillance capacity. Those wiretap investigations dealt with allegations of illegal gambling and bookmaking, official corruption, illegal drug distribution, the buying and selling of stolen property and corrupt organizations. I have also been the Affiant responsible for obtaining six court orders for the nonconsensual interception of electronic and wire communications. In addition, I have participated in various capacities, in over three hundred twenty-five consensual interceptions since receiving the Class "A" certification.

As an investigator for the Pennsylvania State Police, Bureau of Criminal Investigation, I am empowered to conduct investigations and make arrests for violations of Title 18, the Pennsylvania Crimes Code.

Your Co-Affiant Gregg J. Kravitsky is a member of the Pennsylvania State Police (PSP) and have been so employed since April 1988. I am presently assigned as a Supervisor to the Bureau of Criminal Investigation, Organized Crime Division Eastern Task Force. This task force is responsible for conducting undercover and covert investigations of Corrupt Organizations relating to illegal narcotics, vice, gambling and both traditional and nontraditional organized crime activities throughout the Commonwealth and in particular the Southeastern portion of Pennsylvania.

I am an "investigative or law enforcement officer" within the meaning of Section 5702 of the Pennsylvania Wiretapping and Electronic Surveillance Control Act, and, in such capacity, I have successfully completed the PSP "A" course required for certification to monitor, utilize and possess electronic surveillance equipment pursuant to 18 Pa.C.S §5724. I am empowered to conduct investigations of and to make arrests for offenses enumerated at Section 5708 of the Act. My "A" certification number is A-2013.

I have received specialized training in the investigation of illegal pool selling & bookmaking, drug trafficking and criminal investigation from, but not limited to, The Pennsylvania State Police (PSP), The Office of Attorney General of Pennsylvania (OAG), The United States Drug Enforcement Administration (DEA), The United States Internal Revenue Service (IRS), The Federal Bureau of

Investigation (FBI) and The Middle Atlantic Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN).

In my capacity as a criminal investigator I have participated in more than 150 undercover or covert criminal investigations resulting in the arrest of more than 500 persons for their involvement in violations of the Pennsylvania Crimes Code and Title 18, of the United States Code ("U.S.C ."). I have been involved in at least thirty-one Court authorized wiretap investigations as an Affiant, Monitor, Plant manager or Surveillance officer. I have either written and /or participated in more than one hundred and thirty-five search and seizure warrants involving gambling, narcotics, vice, and fencing stolen goods offenses.

Currently, your Co-Affiants are part of a joint task force, assigned to The Group of Twenty Leaders Summit or G20, scheduled to take place in Pittsburgh Pennsylvania on September 24th and 25th, 2009. This task force consists of various operational units within the Pennsylvania State Police as well as members of both local and federal law enforcement agencies. In 2000 both your Affiants were assigned to a similar task force relative to the Republican National Convention held in Philadelphia Pennsylvania between July 31st and August 3rd, 2000. As a result we are familiar with terminology and activist tactics that may be relevant to the 2009 G20 Summit.

This will be the third special G-20 meeting of heads of state. Typically, G-20 meetings involve Finance Ministers and Central Bank Governors of the nations represented, plus representatives of major international financial

institutions. The event is headquartered at the David L. Lawrence Convention Center, 1000 Fort Duquesne Boulevard, Pittsburgh, Pennsylvania.

As members of this task force, your Affiants recognize it is our duty and responsibility, as well as the duty and responsibility of all members of this task force, to support the covenants expressed in the Constitution of the United States and more specifically the protected activities expressed in the First Amendment¹. It is also our duty and responsibility to provide for public safety and protect persons and property within the areas in which activities related to the G20 will be taking place.

Throughout this affidavit your Co-Affiants will make reference to several of these terms and tactics as well as an array of acronyms. The following paragraphs will provide an overview of these terms and a brief synopsis of some of the activist groups that your Co-Affiants believe are going to be present and active in the Pittsburgh region during the upcoming G20 Summit.

Affinity Groups (AG) - small groups of 3-20 people whom share a common identity or interest and work together during demonstrations/protest.

Direct Action Group (DAG) - group of 2-25 persons who work closely together to facilitate demonstrations/protests relating to civil disobedience/violence.

Action Spokes Council (Spokes) - a voting committee made up of representatives from each Affinity Group. It coordinates actions, tactics and scenarios and is a decision making body.

¹ "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Clusters - formed from two or more Affinity Groups who want to work on a common cause.

Police Liaisons - persons designated by their Affinity Group to engage police 'in stall tactics.

Convergence Centers - designated locations that register, feed, coordinate and dispatches protestors and groups engaged in demonstration/protest activities.

"POG"-Pittsburgh Organizing Group

"PG-20RP"- Pittsburgh G20 Resistance Project

Training - commonly referred to by activist where they receive instruction in logistics, action planning and tactics for protest

"Shut Down" - means to disrupt, delay or stop an event from taking place through the use of protest activities.

Elves - persons assigned during a protest to provide for the well being of fellow protestors

Legal Teams - persons assigned during a protest to monitor and document behavior of police and the protestors

Medical Teams - persons assigned to provide first aid to protestors

Jail Solidarity - a conscious and collective effort by arrested activist to influence the legal system by refusing to cooperate with jail/court authorities

Caribiner - spring loaded metal clip traditional used during mountain climbing.

Black Bloc – Groups of protestors, typically wearing black and with black face paint, armed with homemade weapons capable of launching projectiles dangerous to persons and property. Black Bloc tactics were relied on heavily by protestors during the 1999 World Trade Organization Ministerial Conference in Seattle, Washington.

Shield Walls – Marchers armed with shields moving with arms linked to create a defensive wall and penetrate a perimeter line.

Critical Mass - The obstruction of public thoroughfares and transportation systems by groups of protestors traveling in packs, on bicycles or on foot, often

erecting improvised barricades to fend off police.

Swarming - Rapid convergence of a large group of people onto a single location.

Die-ins – Groups of activists laying motionless on the ground and refusing to disperse, often in the middle of an intersection, to obstruct traffic

Sleeping Dragons – Devices in which multiple activists lock hands mechanically so that they can form inseparable human chains.

Tripod - A maneuver used by protestors to stop traffic or cause a disruption. A large tripod is formed and a person is suspended from the top of the structure. The tripod can vary in size and material. In some cases, a noose may be attached to give the appearance that a protestor may be hung if extrication is attempted.

Human Chains and Improvised Barricades – Groups of protestors interlocking legs, arms, and bodies to obstruct traffic or form barricades to force back or break through police defensive lines.

False/Stolen IDs – Utilizing false or stolen press credentials, business cards, and government badges in order to circumvent security and gain access to off-limit areas.

Securing hotel rooms inside hotels used by delegates and reporting electronic keys lost in order to obtain additional keys and bypass security.

Sabotaging Police Vehicles – By puncturing tires or putting Karo Syrup, cat litter, or other substances into the gas tanks.

Auto Brigades - Using private vehicles to block the roadways at critical locations, disrupting traffic and clogging vehicular arteries. Anarchists sometimes secure themselves to the exterior of the vehicle, making it more difficult to remove the vehicle and exhausting additional police resources. officers and uploading them to the internet prior to protest activities; shooting

Thinning Out - Overwhelming police units by holding simultaneous protests at multiple decentralized locations.

False 911 Calls/Bomb Threats/Fire Alarms – Aimed at draining law enforcement resources, disrupting events, and overwhelming communications systems by telephoning false reports of major incidents.

Phantom Volunteering – Activists posing as G-20 volunteers and attending training/orientation sessions for the purpose of gaining access to information.

“De-Arresting” persons taken into custody by law enforcement by immediately breaking the arrestee away from police and utilizing a block tactic to prevent re-arrest.

Utilizing “bicycle scouts” to perform advance reconnaissance of law enforcement positions.

ANARCHIST WEAPONS

Based upon intelligence information learned as part of this and previous investigations and the experience of your Affiants, your Affiants have learned that some anarchists make use of otherwise legal materials for illegal purposes. The following list includes weapons that could potentially be employed against law enforcement personnel and in order to damage property by anarchists and other activists:

Ammonium nitrate bombs strapped with nails

Molotov cocktails

Smoke bombs

“Firebombs” of Molotov cocktails or chains wrapped in kerosene-soaked rags launched with projectiles

Toxic and Flammable Liquids – Including ammonia, bleach, battery acid, hydrofluoric acid, gasoline, paint, and magnesium dispensed with the use of super-soakers, spray and squirt bottles, canteens, hollowed eggs, and balloons.

Human body fluids – Including blood, urine, and feces

Projectile Launches – Including rocks, paving stones, bottles, batteries, ball bearings, nuts and bolts, billiard and golf balls, hockey pucks, nail-filled potatoes, live CS canisters, frozen water balloons, all of which could be catapulted with wrist rockets, slingshots, large rubber bands, paint ball guns, or lacrosse sticks.

Grappling hooks, sledgehammers and crowbars, employed to bring down security fences.

Super-Soakers - Water guns filled with paint, chemical irritants, homemade pepper spray, flammable liquids, or urine.

Tiki Torches - a soup can attached to the end of a stick, held in an upward position and filled with a flammable substance, which is then ignited and launched as a projectile.

Oil, marbles, and ball bearings spread on roadways and used to cause responding foot, motorcycle, and mounted units to lose footing and fall.

Rolling Barrels – Filling drums with water or cement then rolling them into police lines to slow response time.

PREVIOUS G-20 EVENTS²

LONDON 2009: The United Kingdom hosted the second G-20 Leaders Summit in London on April 1-2, 2009. The Metropolitan Police Service, the City of London Police, and the British Transport Police formed a joint command to provide security and policing services for the event. Various protesters attended to support causes and voice opposition to topics such as global climate, international trade, anti-war advocacy, nuclear disarmament, and anti-capitalism.

The largest protests were:

- On March 31, 2009, approximately 35,000 people joined a *Put People First* march for "Jobs, Justice, and Climate". The event was largely peaceful.
- A *G-20 Meltdown* anti-capitalist protest consisted of approximately 4,000 people outside the Bank of England. The crowd consisted mainly of individuals from four separate marches, who joined and congregated at this location. Various isolated incidents of violence occurred against police officers who initiated a containment of the protest in protective gear. Damage against property occurred at a nearby branch of the Royal Bank of Scotland. Intelligence indicated multiple individuals intent on causing destruction and violent acts mixed into the larger group of lawful protesters. Acting on information about individuals wanted in connection with the violent disorder, police subsequently went to two addresses

² Source: (PaCIC) Pennsylvania Criminal Intelligence Center

thought to be used as safe houses for some of the protesters. Four individuals were arrested at one of these locations.

- *Climate Camp in the City* attracted approximately 3,000 protesters who camped outside the European Climate Exchange for almost 14 hours. This event was also contained and eventually dispersed to facilitate normal traffic flow through Bishopsgate, a main route of travel.

Overall, at least 122 arrests were made pertaining to the G-20 Summit in London.

- **WASHINGTON, D.C. 2008:** The United States hosted the first G-20 Leaders Summit in Washington, D.C. on November 14-15, 2008. It was designated a National Special Security Event (NSSE) by the Secretary of Homeland Security. The District of Columbia Homeland Security Emergency Management Agency (HSEMA) led a multi-agency command to provide security and services for the event.

Various protest groups and activists converged in the local area. The largest management issue arose when several thousand pro-Chinese protesters conflicted with several thousand pro-Taiwanese protesters. The crowd was contained without incident, and a few arrests were made for minor offenses.

SIMILAR EVENTS

Some demonstrators and protesters believe that other international organizations, such as the Group of Seven Finance Ministers (G7), Group of Eight (G8), International Monetary Fund (IMF), World Trade Organization, and World Bank, are non-legitimate attempts by the world's leaders to set rules for the rest of the world. These organizations also hold summits and meetings at locations around the world that attract significant opposition.

WORLD TRADE ORGANIZATION On November 30, 1999, the World Trade Organization Ministerial Conference commenced in Seattle, WA. A highly

organized protest presence headed by the Direct Action Network (DAN), a coalition of anti-capitalist and environmental groups, effectively disrupted the conference in a series of strategic offensives. Police forces were overwhelmed by the coordinated tactics of DAN-led protesters and overflow from a separate labor parade which created a crowd the security forces were not prepared to contend with or contain.

G8 SUMMITS Meetings of G8 leaders have often spawned extreme protest activity, most notably in Genoa, Italy in 2001, but have also been associated with terrorist attacks and plots. During the 2005 G8 Summit in Gleneagles, Scotland, suicide bombers, motivated by Britain's involvement in the Iraq War, targeted London's public transportation system, killing 52 people and injuring hundreds. On June 11, 2009, Italian police arrested six people suspected of plotting an attack at the upcoming July 2009 G8 Summit in L'Aquila.

As part of the preparations for protecting citizens and property during the G20 Summit, the Pennsylvania State Police Criminal Intelligence Center (PaCIC) began accepting and collating intelligence information on anticipated protest activity leading up to and through the Summit dates. Information was received from numerous law enforcement and investigative sources including the Pennsylvania State Police, Federal Bureau of Investigation, City of Pittsburgh Police Department and others.

PROBABLE CAUSE

On September 23, 2009, a "Spokes Council" meeting was held at the Pittsburgh G20 Resistance Project (PG20RP) convergence center located at 4374 Murray Avenue, Pittsburgh, Allegheny County, Pennsylvania, 15217. Attendees at the meeting included persons affiliated with PG20RP and other anti-G20 Summit affinity groups. (Your Affiants know from experience and training that "Spokes Council" meetings are typically limited to representatives of specific groups that have committed to participating in direct actions against a particular conference or summit.)

One of the topics covered by attendees of the "Spokes Council" meeting was communication methods to be employed by activists and anarchists participating in a non-permitted march to take place on September 24, 2009 along Liberty Avenue in Pittsburgh, Pennsylvania intending to culminate at the David Lawrence Convention Center. [REDACTED]

[REDACTED]

Council" meeting. An individual identified through this investigation as Elliott M. "Smokey" Madison stated to persons attending the "Spokes Council" meeting that he would be directing the communications surrounding the non-permitted march on September 24, 2009 by transmitting text messages to trusted participants and coordinators of affinity groups participating in the march. Further, discussion during the "Spokes Council" meeting encompassed direct actions and intended criminal activities that would take place during the march, for which a permit had not been obtained. Said activities would be directed toward law

enforcement personnel along the march route. The described illegal activities that were anticipated to occur during the march, constituted the crimes of criminal mischief, assault, hindering apprehension or prosecution and possessing instruments of crime. In addition, statements from Madison were that march organizers would be making use of counter surveillance persons to report to Madison the movements, actions and re-actions of law enforcement. Madison would then relay said information to activists and anarchists in order to further direct and re-direct those participating in the unlawful direct actions so that they might avoid arrest as long a possible during the non-permitted march.

Madison related to spokes council participants that the communications would be effected through the transmission of text messages via one or several twitter accounts. Madison stated that he would provide a telephone number to trusted participants in the march so they could contact Madison in order to obtain the private account information to receive the necessary text messages. (Your Affiants are aware that in order to accomplish the above described communications, Madison needs to make use of a mobile communication device or devices and computing ability, typically via a laptop computer.)

On September 23, 2009, as a result of Madison's statements made at the spokes council meeting, members of the Pennsylvania State Police assigned to the G20 Summit task force began to conduct covert physical surveillance on Madison. Subsequently, surveillance personnel followed Madison as he traveled to the Carefree Inn, located at 100 Kisow Drive, Pittsburgh, Allegheny County, Pennsylvania 15205. Surveillance personnel followed Madison as he traveled in

a Dodge van, dark blue in color, displaying Wisconsin registration [REDACTED]. According to surveillance personnel, it appeared as if Madison checked into a room at the Carefree Inn in order to stay for the night. As of approximately 2:13 PM on September 24, 2009, Madison remained inside a room at the Carefree Inn. On September 24, 2009, State Police surveillance personnel observed a dark blue Dodge Caravan displaying Wisconsin registration [REDACTED] to be parked in front of room 139 at the Carefree Inn. Surveillance personnel reported that no other vehicles were parked in the immediate area.

An inquiry with the Wisconsin Bureau of Motor Vehicles revealed that Wisconsin vehicle registration [REDACTED] is issued for a 2000 Dodge Caravan, dark blue in color, owned by Michael T. Wallschlager, [REDACTED].

Further inquiries by members of the Pennsylvania State Police into the background of Wallschlager revealed that on September 1, 2008, Wallschlager was arrested by the St Paul Police Department for Use of Police Radios During Commission of Crime. No disposition was available for this offense. (Your Affiants submit that such an arrest is indicative of the type of criminal activity described elsewhere in this Affidavit as it relates to the stated planned activities of Elliott Madison.)

On September 24, 2009, your Affiants reviewed biographical and background information pertaining to Madison and Wallschlager. Accurint public record database inquiries revealed that Madison and Wallschlager have both made use of or been associated with the address of [REDACTED].

[REDACTED]. Further, Madison is issued New York driver license [REDACTED] indicating a date of birth of [REDACTED]

On September 24, 2009, as a result of information learned the previous date by undercover members of the Pennsylvania State Police attending the spokes council meeting, members of the Pennsylvania State Police, Bureau of Criminal Investigation, began to monitor Twitter using a publicly available software download known as Tweetdeck. Using terms and phrases associated with the G20 Summit, the Pennsylvania State Police confirmed that Madison was in fact making use of one or several Twitter accounts to provide information to intended participants in the non-permitted September 24, 2009 march regarding law enforcement actions relative the march.

On September 24, 2009, Sergeant Harry Keffer of the Pennsylvania State Police displayed a photographic image of Elliott M. "Smokey" Madison from his New York driver license [REDACTED]

[REDACTED] It was confirmed by a RELIABLE INFORMANT that the individual depicted in the photograph was in fact the same individual who spoke on September 23, 2009 concerning the communication strategy described above and surrounding the non-permitted march on September 24, 2009 with the specific intent to avoid arrest by law enforcement.

SUMMARY

Based upon the above detailed information, your Affiants request that a search warrant be authorized for the room occupied by Elliott Madison at the

Carefree Inn, 100 Kisow Drive, Pittsburgh, Allegheny County, Pennsylvania 15205. (Affiant's note: Prior to service of the search warrant, members of the Pennsylvania State Police will contact Carefree Inn management in order to attempt to verify the specific room occupied by Madison.)

Your Affiants respectfully submit that the above detailed information supports the belief that Elliott Madison is likely engaged in criminal activity to include the use of communication equipment that would allow persons engaged in criminal activity to avoid arrest.

REQUEST FOR SEALING ORDER

As stated in the above affidavit of probable cause, this investigation and public safety effort has utilized Pennsylvania State Police Troopers [REDACTED] [REDACTED] Release of this affidavit of probable cause at the time of this search could [REDACTED] [REDACTED] and compromise the continuing investigation and effort by the G20 law enforcement task force to monitor further illegal activities through the remaining period of the G20 Summit.



Affiant-Trooper Glenn D. Hopey
Pennsylvania State Police



Affiant- Corporal Gregg J. Kravitsky
Pennsylvania State Police

