

UNITED STATES DISTRICT COURT
for the
District of Rhode Island

United States of America
v.

Case No. 1:22MJ05LDA

Barry J. Lafleur (YOB: 1964)

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 6/1/2021 - 9/18/2021 in the county of in the
District of Rhode Island, the defendant(s) violated:

Code Section 18 U.S.C. § 875(c) Offense Description Threats to injure the person of another transmitted in interstate or foreign commerce.

This criminal complaint is based on these facts:

See the attached Affidavit of Task Force Officer Scott Chanthaphoung with the Federal Bureau of Investigation ("FBI").

Continued on the attached sheet.

Handwritten signature of Scott Chanthaphoung

Complainant's signature

Task Force Officer, Scott Chanthaphoung ~ FBI

Printed name and title

Sworn to before me and signed Telephone

Date: January 31, 2022

Handwritten signature of Lincoln D. Almond

Judge's signature

City and state: Providence, Rhode Island

Lincoln D. Almond, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the

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Case No. 1:22MJ05LDA

Barry J. Lafleur (YOB: 1964)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

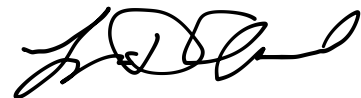
YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (name of person to be arrested) Barry J. Lafleur, who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
- Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 875(c): Threats to injure the person of another transmitted in interstate or foreign commerce.

Date: January 31, 2022



Issuing officer's signature

City and state: Providence RI

Lincoln D. Almond, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____ at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

AFFIDAVIT

I, Scott Chanthaphouvang, being first duly sworn, hereby depose and state as follows:

1. I am a Detective with the Warwick Police Department (WPD) and a Task Force Officer (TFO) with the Federal Bureau of Investigation. I have been employed by the WPD since 2004. I am currently assigned to the Joint Terrorism Task Force (JTTF) at the FBI Providence Resident Agency (RA) of the Boston Field Office. Since 2018, I have participated in criminal investigations relating to counterterrorism, domestic terrorism, and a variety of federal criminal violations to include the transmission of interstate threatening communications. As a Task Force Officer (TFO), I am authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of federal criminal laws.
2. This affidavit is submitted in support of an Application for an Arrest Warrant and Criminal Complaint charging BARRY J. LAFLEUR, Date of Birth (DOB) [REDACTED] 1964, SSN [REDACTED] last known address of [REDACTED] Cranston, RI 02905, with the violation of 18 U.S.C. § 875(c) (transmitting in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another).
3. The facts set forth in the affidavit are based on my personal observations, my training and experience, information obtained from other agents, local, state, and federal police, witnesses, and records obtained during the investigation. Because I submit this affidavit for the limited purpose of showing probable cause, I have not included in this affidavit each and every fact that I have learned in this investigation. Rather, I have set forth only facts sufficient to establish probable cause to issue an arrest warrant for the individual identified herein. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

BACKGROUND

Documented Law Enforcement Contacts with BARRY J. LAFLEUR concerning threats

4. In September 2014, BARRY J. LAFLEUR, a Warwick Fire Department (WFD) Lieutenant with 23 years of service was arrested and locally charged by the WPD with Crank or Obscene Phone Calls and Threats to Public Officials (these charges would later be dismissed in November 2014). At that time, LAFLEUR was temporarily out on a physical work-related injury, he failed to return to work, and was then placed on administrative leave without pay. During this time, LAFLEUR sent 37 emails (some with implied threats of physical harm) from [REDACTED]@gmail.com to the then WFD Chief. As to his work status, LAFLEUR would be physically cleared by the doctor, but it was recommended that he not return to work based on his mental health status. LAFLEUR subsequently threatened to shoot or kill multiple members of the WFD.

5. In September 2014, Rhode Island State Police (RISP) received a complaint from the Rhode Island Governor's office stating they received a total of 57 emails from [REDACTED]@gmail.com with some having implied threats. The email that prompted the Governor's staff to contact RISP was subject titled "Terrorism". The body of the message stated:

"Dear governor, I have paid multiple ransoms to secure my property and my rights to no avail. Are you paying attention? Must 8 theater to kill another human being to be heard? Do you know what a human being 8s? What the fuck is wrong with you fucking people?"

RISP conducted an investigation and suspected LAFLEUR to be the sender of the emails, however, no criminal charges were filed.

6. In August 2017, a reporting person from Arizona contacted the FBI in reference to comments made by user "TheShapeofThings"¹ on the social media site "Disqus"² regarding an NPR article titled "American Science and Nazis." The comments were as following:

"My exodus form Americanism started when I was a city firefighter openly discriminated again by city administrators in the city of Warwick, Rhode Island. I got in full swing when police started coming to my home and intimidating me for political reasons. Now I am a full blown terrorist that hates America and would love to see it reduced to a heap of smouldering ashes for the betterment of humanity. I do not have weapons to protect myself from these human rights abusers. I am a citizen of the United States, not an American. I have no rights at all in this fascist, progressive America. Instead of tearing down statues that remember the fascists of yesterday, let's start tearing down the fascists of today. You can start with the state of Rhode Island, the city of Warwick, Rhode Island is begging to be epicenter of a hideous workplace slaughter. They are literally begging for it. This is a tactic."

The FBI conducted an investigation and identified the user as LAFLEUR. In November 2017, the JTTF in the Lakeville RA of the FBI Boston Office interviewed LAFLEUR. LAFLEUR admitted to the interviewing agents that he made the posts using the name "TheShapeofThings" on Disqus, which is an application which can be used to make comments on other websites, e.g., news websites. No criminal charges were filed at the time and he was admonished. The FBI conducted internet searches on "BARRY J. LAFLEUR" which revealed a comment posted on January 2017 on "lawofficer.com"³ under news article titled "Activist: Police Consent Decrees Likely to end with Sessions, Trump." The post was made by username, "TheShapeofThings" signed off with "Barry J LaFleur". The comments are as following:

"I hate police, Literally. I am a veteran that was a lieutenant on the city of Warwick fire department when I was labeled a terrorist that was threatening to kill multiple on duty firefighters and given the full cop treatment...I am waiting for one of you American heroes to put a bullet in my head and finish the job. Feel free, it would be better that living in your hell."

¹ <https://disqus.com/by/theshapeofthings/>

² <https://disqus.com/>

³ <https://www.lawofficer.com/>

7. In January 2018, RISP received a complaint from a Deputy Sheriff in Ipes, Louisiana advising of comments posted by user “**Warfire911**” on the Los Angeles Times website (www.LATimes.com) article titled “Kentucky lawmakers push to allow armed staff in schools following campus shooting.”⁴ The posted comments were:

“The state of Rhode Island thinks they will stop me from killing city officials by aiming more guns at me too but I will fail miserably. As long as they are who they are and do what they do, somebody is, going to kill them, their children and their loved ones. They ask for it. Beg for it even. I just assume all killings are justified, that is my experience living under exceptional Americans.”

RISP conducted an investigation and determined LAFLEUR was responsible for the above post. RISP interviewed LAFLEUR and he admitted to making the post. No criminal charges were filed and LAFLEUR was admonished.

8. In February 2018, WPD Detectives received information from a caller from California about a comment left by user “**TheShapeofThings**” on a political website “**The Hill**”⁵. The posted comments were:

“If I were Jeff Session, I would be investigating the unfolding terror incident that has a crazed madman heading to the Warwick Rhode Island fire department with an AK-47 to slaughter innocent people so we can put to rest this innocent people once and for all”

“A terror incident is unfolding in Warwick Rhode Island where police are waiting patiently for a terrorist with an AK47 to walk into Warwick Rhode Island Fire department headquarters and start slaughtering public officials. Don’t be alarmed, this is well planned out and the terrorist will be killed. The only problem is, I am not buying a weapon, I never threatened anyone and this is why people commit mass killings, If I did, you would never find out why a person who lives life like a boy scout could mysteriously start slaughtering what is advertised in local media, innocent people. The abusers are given status as angles and the victims labeled terrorist. The new American way”

WPD conducted an investigation and located additional comments made by user “**TheShapeofThings**” about the Coventry Police (RI). Those comments are as following:

“While the rest of the nation wants to end mass killings, the Coventry police are inviting it by not investigating the abuse they personally witnessed and participated in. Now, I have to ask, what guns can I use and who should I point them at so my second amendment rights can assure my civil rights? I want to live peacefully but you don’t get what you want in life, not

⁴ <https://www.latimes.com/nation/la-na-kentucky-guns-20180126-story.html>

⁵ <https://thehill.com/>

even god given inalienable rights, so it is in fact time to start amassing weapons [weapons] and to overthrow this hideous government.”

The Chief Operating Officer for The Hill voluntarily provided the WPD with subscriber data for user “**TheShapeofThings**”. The subscriber was identified as **BARRY J. LAFLEUR (DOB [REDACTED] 1964)** using email **[REDACTED]@gmail.com**, with an IP of 21.147.43.223 which was located in Fall River, MA. In March 2018 the Chief Editor of “**The Hill**” reported the above post to the FBI as well as to WPD. WPD terminated their investigation as they learned that the FBI Lakeville RA had interviewed LAFLEUR at his then residence in Fall River, MA. LAFLEUR admitted to interviewing agents that he made the posts.

9. In April 2020, RISP conducted an investigation in regards to an email sent from **[REDACTED]@gmail.com** to the Rhode Island Disaster Medical Assistance Team (RI DMAT) general mail box info@riresponds.org, which included the following statement:

“I would rather put my brains on the sidewalk than ask this state for help.”

RISP conducted an investigation and determined that LAFLEUR authored the email. RISP interviewed LAFLEUR and he admitted to authoring the email in question. No criminal charges were filed against LAFLEUR.

10. In June 2021, WPD Detectives received information from a caller from Colorado about comments left by user “**ylem crepuscular**” at “**Daily Mail UK Online**” website under web article titled “**PICTURED: Veteran firefighter 44, shot dead by ‘disgruntled’ co-worker at Santa Clarita fire station before the killer drove home, set his property alight and shot himself dead**”. The comments are as following:

“I would like to be the person who walks into Warwick Rhode Island fire department headquarters with an ak47 and kills the chief, the mayor, and the chief of police for good cause. Then I will tell you why.”

“Being a retired firefighter from Rhode Island, I have to assume the victim was not a victim at all and deserved what he got. I expect to see firefighters in this state being killed for their misdeeds.”

The WPD conducted an investigation and discovered additional comments on “**Firehouse.com**” under web article titled “**RI Firefighters’ EMT License Suspended over Patient’s Death**”. The following comments were posted by user ID “**Barry**”. WPD suspected the user ID to belong to LAFLEUR. The following posts by user ID “**Barry**” were made:

“I was arrested because of false statements made by command staff and union officials. They starved me, without cause, they denied me basic medical care for injuries I received while fighting fires. That whole department should lose any EMT licenses any of them have.”

“Channel 12 news would not carry any story about me being falsely arrested for threatening to kill Warwick fire chief Edmund Armstrong with an ak47. They are that sick and should not be performing any public safety functions in a free society.”

“This not the first time I have been here telling the world what goes on in that city, only to be ignored by “brother” firefighters.”

“The only clear solution is for me to go there and take care of them myself in lieu of justice.”

“I am a veteran and disabled firefighter, if every firefighter I ever knew died today, I would not care one bit. Defend that.”

“The investigation into me allegedly threatening to kill the Warwick fire chief with an ak47 proved only one thing, if I had killed the son of a bitch, he would have had it coming. The only thing more disgusting that the firefighters in that city are the police and public officials.”

“That city should be blown back to the hell it was created in.”

Through WPD’s investigation they developed LAFLEUR as the suspect being responsible for the aforementioned posts. WPD attempted to gain user/subscriber data from Daily Mail UK Online but received no response. Firehouse.com did not release user/subscriber data as there were no criminal charges.

11. On January 06, 2022 RISP received an email notification from Dataminr (a company that specializes in artificial intelligence to provide real-time information alerts to clients). The email alert noted that an individual was responding to a post about “The next Jan 6 could happen in the state houses”, and read as follows:

“we need to start killing police and public officials now, today, in Rhode Island - Commenter via Disqus on Raw Story.”

RISP reported upon notification, attempts were made to observe and screen shot the comment on the website, however they had been removed and were no longer available for observation.

Dataminr provided Disqus username “theshapeofthings” as the potential author of the threat. RISP stated that they were advised that Disqus is a “plug-in” comment tool that news sites link to articles.

RISP conducted an open source search in the public domain for the username “theshapeofthings” and found a profile on Disqus. Username “theshapeofthings” has several comments related to politics and matters in Rhode Island. Through RISP’s investigation they learned that the Warwick Police Department and the FBI had previous investigations related to username “theshapeofthings” posting comments on The Hill, with LAFLEUR being the suspect. RISP then referred their investigation to FBI Providence.

PROBABLE CAUSE FOR ARREST

12. In September 2021 WPD received a complaint from an individual from Texas advising of comments posted by user “ylem” on a “Yahoo” online article titled “7 Ways men live without working in America.”⁶ The comments were as following:

“I was injured while fighting a fire. The city did not want to pay me specifically, so i was accused of threatening to kill a public official with an ak47. My new job is to kill public officials and police in Rhode Island. Especially the mayor, police and fire chiefs in Warwick. Somebody has to kill them, I am not too busy. I no longer have a home, or job, or life to speak of, but I do have plenty of time, and a mandate.”

Due to the specific threats made, the WPD submitted an Oath Emergency Disclosure Request to Yahoo to obtain subscriber information on user “ylem”. Yahoo provided the following data for user “ylem”: Other Identities: [REDACTED]@gmail.com; Account Status: active; Identities: [REDACTED]@gmail.com; Registration IP: 173.69.25.179; Full Name: ylem crepuscular; Recovery Emails: [REDACTED]@gmail.com. The last login from user ID [REDACTED]@gmail.com was on September 19, 2021 13:32:01 from IP 74.97.184.25.

WPD notified FBI Providence of the posts because of the potential violation of 18 U.S.C. § 875(c) – Interstate Communications.

13. Your Affiant reviewed the previous WPD and RISP investigations, and it is documented that LAFLEUR admitted to using the email, [REDACTED]@gmail.com to make threatening comments. In addition, government and open-source databases attributes [REDACTED]@gmail.com to LAFLEUR.

14. Through legal process, Google, LLC provided subscriber data on email [REDACTED]@gmail.com. The subscriber data indicated that the name of the creator of this account was “ylem crepuscular”, created on 11/07/2005, with multiple logins utilizing the following IP addresses: 74.97.184.25 from dates of 04/6/2021-12/09/2021 and 173.69.25.179 from the dates of 03/27/2021-04/13/2021. The user specified an account recovery e-mail of [REDACTED]@gmail.com. Google, LLC also provided Google Pay service data associated with email: [REDACTED]@gmail.com. The billing information is listed as Barry LaFleur with RI zip code 02905 utilizing a Mastercard ending in 5216 which was added on 05/19/2021.

The most recent logins for [REDACTED]@gmail.com are from the following source IP/phone:
2600:1000:b11a:4446:aca7:10ff:fe49:20d8 (12/17/2021)
2600:1000:b109:9ea:f84f:58ff:fe19:6dc7 (12/15/2021)
2600:1000:b158:ea8c:3853:dfff:fe72:5b6 (12/11/2021)
2600:1000:b151:95d3:8886:6aff:fe44:1299 (12/08/2021)

15. Through legal process, Google, LLC provided subscriber data on email [REDACTED]@gmail.com. The subscriber data indicated that the name of the creator of this account was ylem crepuscular, created on on 08/18/2009, with multiple logins utilizing IP address 74.97.184.25 from dates of 04/15/2021-12/04/2021. The user specified an account Account recovery e-mail of [REDACTED]@gmail.com. Google, LLC also provided Google Pay

⁶ <https://news.yahoo.com/7-ways-men-live-without-working-in-america-092147068.html>

service data associated with email: [REDACTED]@gmail.com, with “Billing, Tax, Shipping, Default” identified as **Barry j LaFleur**, [REDACTED] **Cranston, RI, 02905**, Phone (401)-4-[REDACTED] utilizing a Mastercard ending in 5216, which was added to the account information on 09/21/2021.

16. Through legal process, Verizon provided subscriber data on IP addresses: **74.97.184.25** and **173.69.25.179**. Both IP addresses (**74.97.184.25** and **173.69.25.179**) during this time period were assigned to [REDACTED] S [REDACTED] [REDACTED] Cranston, RI 02905, 508 [REDACTED] and Email Address: [REDACTED]@gmail.com.

17. Through legal process, Verizon provided subscriber data following source IP/phone:
2600:1000:b11a:4446:aca7:10ff:fe49:20d8 (12/17/2021)
2600:1000:b109:9ea:f84f:58ff:fe19:6dc7 (12/15/2021)
2600:1000:b158:ea8c:3853:dfff:fe72:5b6 (12/11/2021)
2600:1000:b151:95d3:8886:6aff:fe44:1299 (12/08/2021)

Subscriber: [REDACTED] S [REDACTED] [REDACTED] RI 02905-4112.

SISDN Number: (401) [REDACTED]

18. Through legal process, Disqus Inc. provided subscriber data for username, TheShapeofThings (@theshapeofthings). The subscriber data included the Email address [REDACTED]@gmail.com, the date the user joined Disqus was 02/27/2016; the number of comments left by TheShapeofThings as of 01/18/2022 was **32,359**; and the most recent IP address used to post was **74.97.184.25**

It should be noted that LAFLEUR voluntarily provided [REDACTED]@gmail.com to the RI Department of Motor Vehicles for his license as a contact email address.

19. Through investigative measures, your Affiant learned the Verizon customer linked to the subscriber details described in paragraphs 16 and 17 above, [REDACTED] S [REDACTED] is married to A [REDACTED] S [REDACTED] (LAFLEUR), who is BARRY J. LAFLEUR’s daughter. JA [REDACTED] and A [REDACTED] S [REDACTED] reside at [REDACTED] Cranston RI 02905. LAFLEUR resides at 204 Narragansett Street FL 2, Cranston RI 02905. [REDACTED] A [REDACTED] and LAFLEUR all live in the same single building/house which has been subdivided into a duplex having two separate addresses: [REDACTED] Cranston RI.

20. All the threats made by LAFLEUR and documented in the previous paragraphs of this affidavit share similar themes and context. Some of the commonalities that emerge are (1) that the author was a city of Warwick firefighter, (2) there were threats of violence (e.g. to kill, shoot, commit work place slaughters; terror incidents, and mass killings), mainly directed towards public officials (police department, fire department, mayor), mainly from the City of Warwick RI. A preliminary review of the **32,359** posts made by user name “**TheShapeofThings**” (@theshapeofthings) through Disqus revealed numerous comments pertaining to violence, implied violence, and anti-government sentiments.

21. LAFLEUR's username "Warfire911", used to post on the LA Times article as described in paragraph 6, parallels LAFLEUR's email address [REDACTED]@gmail.com, which was used to email RI DMAT (as described in paragraph 9), and to open the Yahoo account "ylem" (ylem crepuscular).

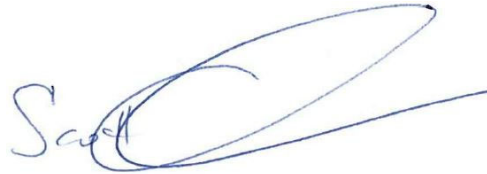
The username "Ylem crepuscular" was used for both Daily Mail UK and Yahoo threats. "Ylem Crepuscular" is also the name used to sign up for the google email addresses: [REDACTED]@gmail.com and [REDACTED]@gmail.com .

22. Based on the results of the legal process served on Google, it can be determined that LAFLEUR is the account holder for the following Google email accounts: [REDACTED]@gmail.com and [REDACTED]com (including the Google Pay accounts associated with these emails); Yahoo username "ylem"; Disqus user name "TheShapeofThings" (@theshapeofthings).

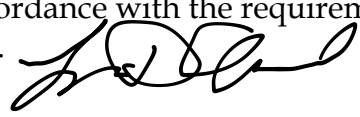
The most recent IP logins to accounts have been made through following IP/Phone: 74.97.184.25; (401) [REDACTED] It appears that LAFLEUR utilizes Verizon internet and cellular services subscribed to [REDACTED]

CONCLUSION

23. Based on the facts set forth in this Affidavit, I submit there is probable cause BARRY J. LAFLEUR violated 18 U.S.C. § 875(c), which makes it a crime to transmit in interstate or foreign commerce any communication containing any threat to injure the person of another.



Task Force Officer Scott Chanthaphoung
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by <u>Telephone</u> .	
<i>(specify reliable electronic means)</i>	
<u>January 31, 2022</u>	
<u>Date</u>	<u>Judge's signature</u>
<u>Providence RI</u>	<u>Lincoln D Almond USMJ</u>
<u>City and State</u>	<u>Printed name and title</u>