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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:16-CR-00051-BR

v.

AMMON BUNDY, et al.,

Defendants.

**DECLARATION OF TRAVIS J. WELTER
IN SUPPORT OF GOVERNMENT'S
RESPONSE TO DEFENDANTS' MOTION
TO
REOPEN MOTION TO SUPPRESS
FACEBOOK EVIDENCE**

I, Travis J. Welter, declare:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed since July 2014. I am currently assigned to the Portland Division. In 2014, I successfully completed twenty-one (21) weeks of training at the FBI Academy located in Quantico, Virginia. During that time, I was taught the use and practical application of various investigative techniques that Federal law enforcement officers are allowed to employ. In addition

to my formalized training at the FBI Academy, I have also acquired knowledge and information pertaining to violations of federal law from numerous other sources, including: formal and informal training, other law enforcement officers and investigators, informants, and my participation in other investigations.

2. This declaration is intended to show the sealing, deletion and destruction of Facebook data provided to the FBI as a result of a federal search warrant issued in the District of Oregon on April 8, 2016. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. On August 4, 2016, while at the United States Attorney's Office (USAO), located at 1000 SW 3rd Ave in Portland Oregon, I met with Assistant United States Attorney's (AUSA's) Craig Gabriel, Geoff Barrow and Litigation Support Specialist Rena Rallis. During this meeting, the aforementioned AUSA's asked me to seal and return the following Facebook response data to the Portland FBI Office. AUSA's Gabriel and Barrow also requested that I destroy all remaining copies of Facebook search warrant response data that were not sealed and stored in evidence. The AUSA's advised me to label all Facebook search warrant response data stored in evidence "Do not open without a court order." At the conclusion of this meeting, I accepted custody of the following:

One (1) manila, U.S. Department of Justice Federal Bureau of Investigation, envelope addressed: "To AUSA Barrow From: Claudia Bonilla." This envelope contained

One (1) copy of a search and seizure warrant to Facebook with attached

Return for case No. '16-MC-191 dated May 13, 2016 and four (4) disks said to contain

Facebook raw search warrant return data with the following labels:

-Disk 1 (Part 1 of 3) Facebook SW Return (second Set) AUSA Copy.

-Disk 2 (Part 2 of 3 B. Cooper) Facebook SW Return (second Set) AUSA Copy.

-Disk 3 (Part 3 of 3 B. Cooper) Facebook SW Return (second Set) AUSA Copy.

- Disk 2 (1/1) Facebook SW Return (second Set) AUSA Copy.

4. Later that same day upon returning to the Portland FBI Office, I sealed and labeled the aforementioned envelope "Do not open without a court order" or "Do not access without a court order" and then entered it into 1A evidence as 1A886. SA Rich Baltzersen subsequently transferred 1A886 into 1B evidence as 1B1188.

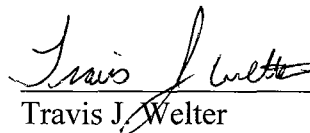
5. On or about August 4th and/or 5th, I collected any remaining working copies of Facebook search warrant response data from the search team and shredded them. I spoke to all investigative agents and determined that no discs remained that had not been previously entered into evidence. I also contacted SA Claudia Bonilla, who was temporarily assigned to the Portland Division, telephonically who advised that she did not have any physical copies in her possession. SA Bonilla later contacted SA Welter and advised that she did have a copy of this data saved under her profile on the unclassified computer hard drive that she was assigned to at the Portland FBI Office.

SA Bonilla had not been in the Portland Office to access her hard drive profile where this data was saved since her temporary duty assignment ended on or about June 30, 2016.

6. On or about August 23, 2016, Portland FBI technical support staff accessed SA Bonilla's profile on the aforementioned computer and deleted all Facebook search warrant response data and profile settings.

7. To my knowledge, all Facebook search warrant response data has been destroyed, deleted or sealed in evidence and labeled "Do not access without court order" or "Do not open without a court order."

I declare that the foregoing is true and correct to the best of my knowledge. This declaration was executed in Portland, Oregon, on September 7, 2016.



Travis J. Welter
Special Agent, Federal Bureau of Investigation