

DMP:RAS/FJN/APW
F.#2021R00818

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

ROBERT FEHRING,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MARGARET MURPHY, being duly sworn, deposes and states that she is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about and between June 6, 2018 and September 9, 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ROBERT FEHRING knowingly and willfully did deposit in a post office or authorized depository for mail matter, to be sent and delivered by the United States Postal Service (the "USPS"), and did cause to be delivered by the USPS according to the directions thereon, one or more communications addressed to another and containing threats to injure the person of another.

(Title 18, United States Code, Section 876(c))

TO BE FILED UNDER SEAL

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF ARREST WARRANT

Case No. 21-MJ-1363

(18 U.S.C. § 876(c))

The source of your deponent's information and the grounds for her belief are as follows:¹

I. Background

1. I am a Special Agent with the Federal Bureau of Investigation and have been involved in the investigation of cases involving, among other offenses, threats and hate crimes. I am currently assigned to the New York Field Office. I am familiar with the facts and circumstances set forth below from my participation in this investigation; my review of documents, records and reports; and from reports of other law enforcement officers involved in the investigation.

2. The defendant ROBERT FEHRING is a 74-year-old resident of Bayport, New York. Since 2013, FEHRING has sent organizations and businesses associated with the lesbian, gay, bisexual, transgender, queer or questioning ("LGBTQ+") community, as well as government agencies, numerous letters via the USPS in which he has threatened violence, including through the use of firearms and explosives.

II. Threatening Letters Authored by ROBERT FEHRING

3. In the course of this investigation, law enforcement has identified at least 60 letters, postmarked between June 2013 and September 2021, that appear to be authored or sent by ROBERT FEHRING, including the following:

A. The June 24, 2019 Letter

4. A letter postmarked June 24, 2019 and addressed to a member of the Patchogue Chamber of Commerce stated in part:

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not described every fact learned during the investigation.

If you continue to plan to have the LGBT thing at Alive at five, be prepared by having a large police presence, and numerous ambulances available.

5. A copy of this letter was recovered from ROBERT FEHRING's residence in Bayport, New York, during execution of a judicially authorized premises search warrant on or about November 18, 2021 (the "FEHRING Residence Search").

B. The May 20, 2021 Letter

6. A letter postmarked May 20, 2021 and addressed to the executive director of an organization that plans and produces LGBTQ+ pride events in New York City ("Victim-1") stated in part:

AS YOU FUCKING SCUM ARE PREPARING TO WALTZ YOUR FRUITY, FREAKY, FAGGOT ASSES DOWN THE NY PARADE LANE(S), WE WARN YOU THAT THERE WILL BE RADIO-CONT[R]OLLED DEVICES PLACED AT NUMEROUS STRATEGIC PLACES, AND FIREPOWER AIMED AT YOU FROM OTHER STRATEGIC PLACES. WE'VE HAD ENOUGH!!! THIS WILL MAKE THE 2016 ORLANDO PULSE NIGHTCLUB SHOOTING LOOK LIKE A CAKEWALK.

7. Based on my training, experience and participation in this investigation, I understand the "2016 Orlando Pulse Nightclub Shooting" to refer to a mass shooting at Pulse, a gay nightclub in Orlando, Florida, on or about June 12, 2016. Approximately 49 people were killed in the shooting and dozens of others were wounded. I also understand the referenced parade to be the June 27, 2021 New York City Pride March.

8. The envelope containing the May 20, 2021 letter was marked with a blue "CONFIDENTIAL" stamp preceded by a red exclamation mark (the "Confidential Stamp"). An image of the Confidential Stamp is below:



9. A rubber stamp that appears identical to the Confidential Stamp was recovered during the FEHRING Residence Search. In an interview with law enforcement officers on or about November 18, 2021, after waiving his Miranda rights, ROBERT FEHRING stated that he at times used the Confidential Stamp to ensure the letters were taken seriously and reached their intended recipient.

10. Law enforcement officers further recovered during the FEHRING Residence Search multiple post-it notes with handwriting that referenced LGBTQ+ organizations and public figures, including the name and address of Victim-1, and a calendar with an entry on June 27, 2021 that read “NYC Pride 12-3,” which appears to be a reference to the New York City Pride March discussed in the May 20, 2021 letter.

C. The June 9, 16, and 25, 2021 Letter Series

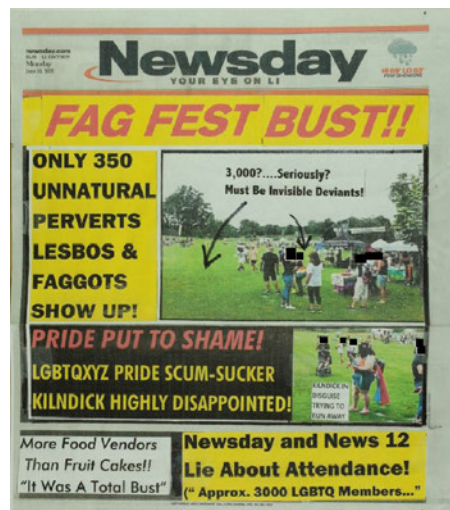
11. A letter postmarked June 9, 2021, and addressed to the chief executive officer of an LGBTQ+-affiliated nonprofit organization in Sag Harbor, New York (“Victim-2”) stated in part:

BETTER BE READY TO MEET YOUR END IF YOU SHOW UP AT EISENHOWER ON SUNDAY. IT’S A GREAT PLACE TO UNLOAD A HIGH-POWERED RIFLE BULLET FROM A DISTANCE, THAT CAN GO RIGHT THROUGH YOUR GAY FACE. YOU WERE WARNED....PAY THE PRICE IF YOU WANT. THEY CAN CALL YOU A MARTYR. WE CAN CALL YOU.....GONE.

The envelope was marked with the Confidential Stamp.

12. Based on my training, experience and knowledge of this investigation, I understand “Eisenhower” to refer to Eisenhower Park in East Meadow, New York, at which Victim-2’s organization hosted a LGBTQ+ Pride event on or about June 13, 2021 (the “Eisenhower Pride Event”).

13. A subsequent envelope postmarked June 16, 2021 was sent to Victim-2 containing a doctored Newsday newspaper with photographs of the Eisenhower Pride Event with derogatory captions. Victim-2 told the FBI that he had not previously seen the photographs and the FBI has not been able to identify them online, which indicates that ROBERT FEHRING took the photographs or received them from someone present at the event. A redacted copy of the doctored newspaper is below:



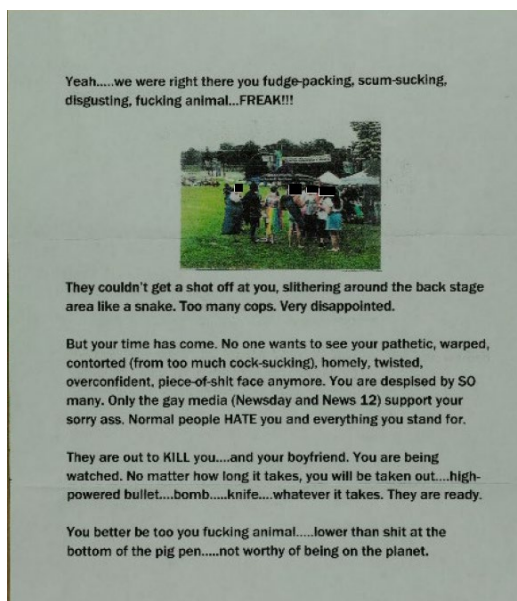
The original doctored Newsday newspaper was recovered during the FEHRING Residence Search.

14. A third letter postmarked June 25, 2021 was sent to Victim-2 and stated in part:

[W]e were right there you fudge-packing, scum-sucking, disgusting, fucking animal...FREAK!!! They couldn't get

a shot off at you, slithering around the back stage area like a snake. Too many cops. Very disappointed. But your time has come. . . . They are out to KILL you....and your boyfriend. You are being watched. No matter how long it takes, you will be taken out....high-powered bullet....bomb.....knife.... whatever it takes.

15. The June 25, 2021 letter also contained a photograph of the Eisenhower Pride Event that appears to be taken at the same location as one of the photographs included in the doctored Newsday newspaper, and the envelope was marked with the Confidential Stamp. A redacted image of the June 25, 2021 letter is below:



16. Law enforcement officers recovered during the FEHRING Residence Search a printed copy of a June 14, 2021 email containing the same photograph included in the June 25, 2021 letter. The email was sent to and from the same email address, which was identified as an email address used by ROBERT FEHRING, with the subject line “Fag 2.”

17. Law enforcement officers also recovered during the FEHRING Residence Search a post-it note on which Victim-2's name was handwritten, as well as two 2021 calendars

with handwritten entries noting the Eisenhower Pride Event on June 13, 2021, specifically stating “Pride Eisenhower 12-4.”

D. The September 9, 2021 Letter

18. A letter postmarked September 9, 2021 and addressed to the owner (“Victim-3”) of a barber shop affiliated with the LGBTQ+ community in Brooklyn, New York, which had recently been publicized on local news, including on News 12, stated in part:

You unnatural, abnormal, deviant, perverse scum...animals... lower than the shit at the bottom of the pig pen. . . . Men having oral and anal sex with each other is as twisted and beyond comprehension as it gets. Gay niggas going at it is even more gross and horrendous human behavior. . . . Thanks to News 12, we now know who you are, and where you are. And your shop is the perfect target for a bombing and/or graffiti and/or a shattered window front...or beating the scum that frequents your den of shit into a bloody pool of steaming flesh.

19. The envelope containing the September 9, 2021 letter was marked with the Confidential Stamp.

20. Notably, News 12 was on the television at ROBERT FEHRING’s residence at the inception of the FEHRING Residence Search.

21. All of the letters described above were deposited in an authorized depository for mail matter and delivered by the USPS.

E. Additional Letters by ROBERT FEHRING

22. Additional letters that I have reviewed during the course of this investigation that were also authored or sent by ROBERT FEHRING contain true threats, including letters postmarked between June 6, 2018 and September 9, 2021. These additional letters and their respective envelopes contain similarities in both their content and format that

show they were written by FEHRING. Many of the letters were sent in envelopes marked with the Confidential Stamp. Many of the letters contain references to “only 3%” of the population being LGBTQ+ and references to heterosexual individuals as “normal” people; several of the letters describe LGBTQ+ individuals as worse than the “bottom of the pig-pen” or state that “even animals know better” than to engage in same-sex sexual activity; several letters use the phrase “radio-controlled devices”; and many focus on the hanging of “Pride” or Rainbow flags in Sayville, New York. Many of the letters use all capitalization for some of the most inflammatory language and frequently contain ellipses throughout. Numerous letters consistent with this pattern and format were recovered during the FEHRING Residence Search.

III. Additional Evidence That ROBERT FEHRING Sent the Threats

23. On or about June 8, 2021, an elected official in Long Island (“Victim-4”) received a letter in an envelope marked with the Confidential Stamp. The June 8, 2021 letter stated in part:

MEN HAVING ORAL AND ANAL SEX IS ABOUT THE MOST DISGUSTING, WARPED, HORRENDOUS THING HUMAN BEINGS CAN DO....LOWER THAN THE SHIT AT THE BOTTOM OF THE PIG-PEN. EVEN ANIMALS KNOW BETTER.

IT IS ALL ABNORMAL, UNNATURAL, DEVIANT, PERVERSE.....AND THANK GOD, ONLY 3% OF THE POPULATION.

24. In or about mid-June 2021, Victim-4 received another letter in an envelope marked with the Confidential Stamp. The letter was sent after Victim-4 wrote an article in a local paper celebrating Pride Month. The letter enclosed Victim-4’s article and described Victim-4 as “nothing but a slimy, slithering politician who bends with the agenda-for-the-day winds.” The FBI sent the envelope containing the letter (the “Envelope”) to the FBI Laboratory

in Quantico, Virginia for DNA analysis. Based on my review of the lab analysis, a comparison to a known sample recovered from ROBERT FEHRING on or about October 23, 2021 found that FEHRING was 1.3 septillion times more likely to be a contributor to the DNA recovered from the Envelope than an unknown and unrelated person.

25. Moreover, law enforcement officers recovered additional evidence during the FEHRING Residence Search confirming that ROBERT FEHRING authored or sent the threats. Specifically, law enforcement officers recovered copies of letters containing threats; 20 multi-colored LGBTQ+ related flags that appear to be identical to flags stolen from flagpoles in Sayville, New York in July 2021; a stamped envelope addressed to an attorney who recently worked on LGBTQ+ related cases and who also published an article on an LGBTQ+ related court decision, which was found in a garage freezer and contained the remains of a dead bird; postage stamps; mailing envelopes; and printers.

26. Law enforcement officers also recovered during the FEHRING Residence Search two loaded shotguns with the safety off; multiple rounds of ammunition, including 86 20-gauge shotgun shells, 164 12-gauge shotgun shells, 56 22mm cartridges, and 90 9mm rounds; two stun guns; an American flag patterned machete; and an envelope addressed to FEHRING containing a DVD titled "Underground Build Your Own Silencer System."

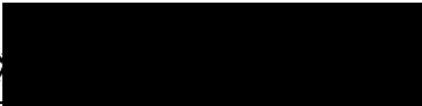
27. On or about November 18, 2021, ROBERT FEHRING waived his Miranda rights and was interviewed by federal law enforcement officers. FEHRING stated, in sum and substance and in part, that he authored certain letters that law enforcement officers encountered in the investigation and that he stamped the envelopes containing those letters with the Confidential Stamp to ensure the letters were taken seriously, reached their intended recipient and were not intercepted by a secretary. He further acknowledged ownership of the recovered

shotguns and expressed animosity towards the LGBTQ+ community, stating in part that there is a “sickening overdose of that stuff being shoved down everybody’s face on the paper, on the TV and all over the place and I’m not a fan of any of the homosexuality, homosexual thing.”

IV. Request for Sealing

28. I respectfully request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. The defendant is currently at liberty and unaware of this application. Accordingly, premature disclosure of the contents of this affidavit and related documents could seriously jeopardize the investigation by giving the defendant an opportunity to intimidate potential witnesses or endanger the life or physical safety of an individual and specifically of the victims.

WHEREFORE, your deponent respectfully requests that the defendant ROBERT FEHRING be dealt with according to law.


MARGARET MURPHY
Special Agent, Federal Bureau of Investigation

Sworn to before me by telephone
this 3 day of December, 2021



THE HONORABLE ARLENE R. LINDSAY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK