

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

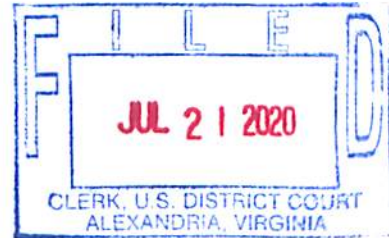
UNITED STATES OF AMERICA

v.

JOHN WILLIAM KIRBY KELLEY,
a/k/a "Carl"
a/k/a "BotGod"

Defendant.

No. 1:20-cr-82



CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

General Allegations

At all times material to this Criminal Information:

1. The defendant, JOHN WILLIAM KIRBY KELLEY, was a United States citizen and a resident of the Commonwealth of Virginia.
2. John Cameron Denton was a United States citizen and a resident of Texas.
3. An uncharged co-conspirator, who will be referred to as Co-Conspirator 1, was a foreign national and resided outside the United States.
4. An uncharged co-conspirator, who will be referred to as Co-Conspirator 2, was a foreign national and resided outside the United States.
5. An uncharged co-conspirator, who will be referred to as Co-Conspirator 3, was a juvenile and resided in the United States.

6. An Internet Relay Chat (IRC) is similar to an internet chat room in that it allows for both one-on-one and group communication discussion in “forums,” also known as “channels.” The co-conspirators coordinated which individuals and locations to swat in the #Graveyard IRC channel and other IRC channels. An IRC is hosted on a server. Individual participants or “clients” connect to the server in order to transfer communications in the form of text to other clients connected to the server.

7. “Swatting” is a harassment tactic that involves deceiving dispatchers into believing that a person or persons are in imminent danger of death or bodily harm, and causing the dispatchers to send police and emergency services to an unwitting third party’s address.

8. “Doxxing” is a harassment tactic that involves researching and publishing personally identifiable information about an individual, such as the person’s date of birth, address, telephone number, or other unique identifiers, on the internet. Personally identifiable information can be obtained in a variety of ways, both legal and illegal.

COUNT ONE

(Conspiracy to Transmit Interstate Threats to Injure)

9. The General Allegations are re-alleged and incorporated by reference.

10. Beginning in and around August 2018 and continuing until in and around April 2019, in the Eastern District of Virginia and elsewhere, the defendant, JOHN WILLIAM KIRBY KELLEY, did knowingly and unlawfully combine, conspire, confederate, and agree with John Cameron Denton and others, both known and unknown, to transmit in interstate and foreign commerce any communication containing any threat to injure the person of another, in violation of Title 18, United States Code, Section 875(c).

THE OBJECT, WAYS, MANNER, AND MEANS OF THE CONSPIRACY

The object of the conspiracy was to harass individuals and cause law enforcement to respond to perceived threats with force.

The ways, manners, and means by which the defendant and members of the conspiracy sought to achieve the objects of the conspiracy included, but were not limited to, the following:

11. It was part of the conspiracy that members of the conspiracy coordinated which individuals and locations to swat in the #Graveyard IRC channel and other IRC channels.

12. It was part of the conspiracy that members of the conspiracy used monikers when communicating in IRC channels.

13. It was part of the conspiracy that members of the conspiracy used Voice over Internet Protocol (VoIP) technology to place swatting calls to law enforcement.

14. It was part of the conspiracy that members of the conspiracy called dispatchers and claimed that they placed bombs in specific locations, murdered individuals, held individuals

hostage, intended to shoot responding law enforcement officers, and transmitted other threats, an abuse known as “swatting.”

15. It was part of the conspiracy that members of the conspiracy used Mumble, which is a VoIP application that permits users to talk to each other, to listen to swatting calls that other co-conspirators placed.

16. It was part of the conspiracy that some members of the conspiracy were motivated by racial animus when they chose which individuals and locations to swat.

17. It was part of the conspiracy that some members of the conspiracy chose individuals and locations to swat because the conspirators were able to observe law enforcement’s response via video.

18. It was part of the conspiracy that members of the conspiracy obtained personally identifiable information, including Social Security numbers, dates of birth, and addresses of United States Government officials, journalists, business executives, and others, an abuse known as “doxxing.”

19. It was part of the conspiracy that members of the conspiracy sometimes then used that personally identifiable information to place swatting calls.

OVERT ACTS

In furtherance of the conspiracy, and to effect the objects thereof, the defendant and his co-conspirators committed overt acts in the Eastern District of Virginia and elsewhere, including, but not limited to, the following:

20. In and around 2018, the defendant began hosting the #Graveyard IRC Channel.

21. In and around 2018, the defendant, Co-Conspirator 1, Co-Conspirator 2, and Co-Conspirator 3 began using the #Graveyard IRC Channel to coordinate swatting calls.

22. In and around October 2018, John Cameron Denton joined the #Graveyard IRC Channel and began coordinating swatting calls.

23. On or about November 3, 2018, Co-Conspirator 3 chose the Alfred Street Baptist Church, which is located in Alexandria, Virginia, within the Eastern District of Virginia, as a location to swat. Co-Conspirator 3 chose this church because it was predominantly African American.

24. On or about November 3, 2018, at least one co-conspirator called law enforcement in the City of Alexandria and stated that they placed pipe bombs at the Alfred Street Baptist Church and that they were going to “blow it up.”

25. On or about November 4, 2018, the defendant asked Co-Conspirator 1 to swat Old Dominion University, which is located in Norfolk, Virginia, within the Eastern District of Virginia.

26. On or about November 29, 2018, at least one co-conspirator called law enforcement at Old Dominion University and claimed that they were armed with an AR-15 rifle and had placed multiple pipe bombs within buildings located on the Old Dominion University campus.

27. On or about December 4, 2018, at least one co-conspirator called law enforcement at Old Dominion University and claimed that they were located in Webb Center, which is located on the Old Dominion University campus. A co-conspirator stated that he possessed a firearm and intended to shoot everyone in Webb Center.

28. On or about December 14, 2018, Denton participated in a call made to law enforcement in New York City. During this call, a co-conspirator stated that he was located at

ProPublica's office in New York City, and that he had multiple pipe bombs, an AR 15, one hostage, and a dead body.

29. On or about January 27, 2019, at least one co-conspirator called law enforcement in the City of Alexandria and provided an address that belonged to a United States Cabinet member. A co-conspirator stated that he had an AR-15 rifle, shot and killed his girlfriend, had her two children tied up in the laundry room and he would kill them if he did not speak to a hostage negotiator, and that he had a pipe bomb that he would detonate.

30. On or about February 8, 2019, Denton, Co-Conspirator 2, and Co-Conspirator 3 called law enforcement located in Richmond, California. Co-Conspirator 2 claimed to be a journalist with ProPublica and further stated that he shot his wife, threatened to kill himself, and that he would shoot any law enforcement officers who responded to the residence.

31. From in and around October 2018, the conspirators maintained a dark net site known as DoxBin. The site was a repository of personally identifiable information of potential and past swatting targets. The DoxBin website primarily targeted government officials, executives, journalists, and celebrities.

(All in violation of Title 18, United States Code, Section 371)

G. Zachary Terwilliger
United States Attorney

By:


Carina A. Cuellar
Assistant United States Attorney