

*Assigned AUSA: PJC*

**Jul 06, 2023**

*County of Offense: Spokane*

SEAN F. MCAVOY, CLERK

*In Re: Request for Criminal Complaint and Arrest Warrant charging Brandon L. Scott with False Information and Hoaxes, in violation of 18 U.S.C. § 1038.*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT  
AND ARREST WARRANT**

State of Washington     )  
  ) ss  
County of Spokane     )

I, Briant Jacobs (hereinafter “Affiant”), being duly sworn, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been since January 2021. I completed the Basic Field Training Course, FBI Academy, Quantico, VA in August of 2021. In completing this course, I received instruction in Constitutional Law and the establishment of probable cause. I am currently assigned to the Joint Terrorism Task Force Office (“JTTF”), Seattle Field Office, Spokane, WA. Prior to the FBI, I was employed as a Special Agent in the Office of Special Investigations for two and a half years and swore to several warrant affidavits in furtherance of federal criminal investigations. Your affiant has participated in the execution of numerous search warrants and arrest warrants involving various offenses including violent crime, drug offenses, sexual assault,

terrorism, and counterintelligence. Through participation in this investigation, as well as previous work experience, your affiant has gained an understanding of certain federal aviation regulations.

2. Your affiant is an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and is empowered by law to conduct investigations and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

3. As result of my training and experience, I know that it is a violation of 18 U.S.C. § 1038 for any person to engage “in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of [Title 18]...”

4. This affidavit is submitted in support of a criminal complaint and arrest warrant charging Brandon L. SCOTT (“SCOTT”) with False Information and Hoaxes, in violation of 18 U.S.C. § 1038.

5. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show that there is sufficient probable

cause for the requested warrant and charges, and does not set forth all of my knowledge about this matter. All dates and times are approximate, and most of the information described herein is reported in sum and substance, and not verbatim. The threats are included verbatim to the best of my ability, and without correction to spelling, capitalization, or grammar.

### **Facts in Support of Probable Cause**

6. On or about July 5, 2023, at approximately 3:25p.m. (EST), Alaska Airlines Flight 334 (Flight 334) departed Hartsfield Landing International Airport in Atlanta, Georgia with a final destination at Seattle-Tacoma International Airport (SEATAC) in Seattle, Washington.

7. SCOTT was a passenger on Flight 334, seated in the first-class cabin in seat 1A. SCOTT was born in Kentucky, is 38 years old, approximately 6 feet 2 inches tall, 220 pounds, and has green eyes and brown hair. SCOTT has prior misdemeanor and felony convictions, including Kidnapping and Robbery.

8. While en route to SEATAC, SCOTT handed Alaska Airlines Flight Attendant S.Y. a note written on a paper receipt. The note contained the following information:

“There is a bomb on the plane. This is not a joke. Several pounds of homemade explosives are in my carry on bag. I have a detonator with me. Handle this matter carefully and exactly how I say, otherwise I will detonate the explosives

and kill everyone on board. You are to alert the pilot to this note and keep the issue to yourself. Many innocent lives are in your hands, do as I demand and everyone will live. Deviate and the consequences will be deadly for all of us. I have nothing left to lose.

My demands are simple. I want this plane rerouted from its destination in Seattle. Any other airport will do. If this plane lands in Seattle, I will kill everyone onboard. Change our destination and I will refrain from detonating the bomb. I repeat, if I see us land in Seattle, I will kill every soul on this plane.

Contact the ground and let them know what's happening and what my demands are. If they reroute us to another airport I will refrain from detonating the explosives and I will give myself up peacefully upon arrival. This incident is to stay out of the news media until well after I have surrendered. Once we have been rerouted I expect an announcement. That way I know my demands have been met. Pretend there is some sort of equipment problem or whatever you have to do. Just get this plane rerouted. Failure to comply will cost the lives of everyone on this plane.”

9. Upon receipt of the note, Flight Attendant S.Y. contacted the captain and co-pilot, who then advised Air Traffic Control and Alaska Airlines Security Dispatch of the threat. Upon communicating the nature of the threat, Flight 334 was rerouted from its original course and diverted to the Spokane International Airport, Spokane, Washington, within the Eastern District of Washington.

10. On July 5, 2023, between approximately 5:15p.m. and 5:30p.m., Flight 334 landed without incident at the Spokane International Airport. Upon arrival, Flight

334 was met with law enforcement and emergency crews. SCOTT was detained by law enforcement at that time.

11. A subsequent search of Flight 334 by the Spokane Bomb Squad did not locate any explosive devices or explosive materials.

12. During the investigation, law enforcement agents interviewed the crew and a number of passengers. Passenger S.B., seated immediately next to SCOTT during the flight, informed law enforcement agents they observed SCOTT writing the note during the flight. Following his detention, SCOTT was advised of his *Miranda* rights and subsequently agreed to speak with special agents. SCOTT disclosed he consumed approximately two shots of Vodka during the flight. Based on your affiant's training and experience, SCOTT did not appear to be intoxicated. During his interview, SCOTT admitted to writing the note. SCOTT further admitted he knew the information in the note was false and that he had not placed bombs on the plane. Furthermore, SCOTT indicated he hoped the false information provided in the note would divert Flight 334 and lead to SCOTT's arrest by law enforcement. SCOTT told law enforcement he was being targeted by the Sinaloa Cartel. SCOTT stated members of the Cartel were waiting for him to land in Seattle in order to torture and kill SCOTT. SCOTT disclosed he considered other plans to get Flight 334 diverted, to include assaulting a flight attendant or opening a cabin

door while in flight. SCOTT stated he did not think of a more reasonable approach such as contacting law enforcement personnel at the airport to ask for help or assistance.

**Conclusion**

13. Based upon the facts above, I have probable cause to believe that on or about July 5, 2023, SCOTT engaged in conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed [and was believed] and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of Chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of Title 18, United States Code ( including, among other offenses, 18 U.S.C. § 32, Aircraft and Motor Vehicles – Destruction of Aircraft or Aircraft Facilities).



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Special Agent Briant Jacobs  
Federal Bureau of Investigation

Sworn to before me and signed electronically in my presence.

this 6<sup>th</sup> day of July, 2023.



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The Honorable James A. Goeke  
United States Magistrate Judge