

EP20CR0389 JUDGE DAVID GUADERRAMA
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

2020 FEB -6 PM 2: 05

UNITED STATES OF AMERICA,

Plaintiff,

v.

PATRICK WOOD CRUSIUS,

Defendant.

CRIMINAL NO. EP-20-CR-~~389~~

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY JB
DEPUTY

INDICTMENT

§ CTS 1-22: 18 U.S.C. § 249(a)(2) –
§ Hate Crime Resulting in Death;
§ CTS 23-44: 18 U.S.C. §§ 924(c), (j)(1) –
§ Use of a Firearm to Commit Murder
§ During and In Relation to a Crime of
§ Violence;
§ CTS 45-67: 18 U.S.C. § 249(a)(2) –
§ Hate Crime Involving Attempt to Kill;
§ CTS 68-90: 18 U.S.C. § 924(c) –
§ Use of a Firearm During and In Relation
§ to a Crime of Violence.

§ *Notice of Special Findings*

§ *Notice of Government's Demand for*
§ *Forfeiture*

THE GRAND JURY CHARGES:

INTRODUCTION

1. On or about June 19, 2019, Defendant PATRICK WOOD CRUSIUS used the internet to purchase a GP WASR-10 semi-automatic rifle with serial number A1-65552-18, a Romanian-made firearm that is a variant of the AK-47 assault rifle. Also on or about June 19, 2019, Defendant PATRICK WOOD CRUSIUS used the internet to purchase 1,000 rounds of 7.62 x 39 millimeter hollow point ammunition.

2. Some time before August 3, 2019, Defendant PATRICK WOOD CRUSIUS drafted a document with the title "The Inconvenient Truth." The document opens by stating, "This attack

is a response to the Hispanic invasion of Texas. They are the instigators, not me. I am simply defending my country from cultural and ethnic replacement brought on by the invasion.”

3. On or about August 3, 2019, Defendant PATRICK WOOD CRUSIUS drove a vehicle overnight from Allen, Texas, to the Walmart Supercenter store located at 7101 Gateway West Boulevard in El Paso, Texas. Defendant PATRICK WOOD CRUSIUS traveled with the GP WASR-10 semi-automatic rifle and 7.62 x 39 millimeter hollow point ammunition that he had previously purchased.

4. On or about August 3, 2019, Defendant PATRICK WOOD CRUSIUS uploaded the document he had drafted entitled “The Inconvenient Truth” onto the internet.

5. On or about August 3, 2019, after uploading the document entitled “The Inconvenient Truth” to the internet, Defendant PATRICK WOOD CRUSIUS opened fire and shot multiple individuals in and around the Walmart Supercenter store located at 7101 Gateway West Boulevard in El Paso, Texas. Defendant PATRICK WOOD CRUSIUS used his GP WASR-10 semi-automatic rifle and 7.62 x 39 millimeter hollow point ammunition to conduct the attack, which led to the death of twenty-two individuals and injured many more.

COUNTS ONE THROUGH TWENTY-TWO
(18 U.S.C. § 249(a)(2) - Hate Crime Resulting in Death)

Paragraphs numbered 1 through 5 previously alleged in this indictment are re-alleged and incorporated as though fully set forth herein.

6. On or about August 3, 2019, in the Western District of Texas, Defendant PATRICK WOOD CRUSIUS willfully caused bodily injury to the victims listed below because of the actual and perceived national origin of any person:

| COUNT | VICTIM |
|-------|--------|
| 1 | A.A. |
| 2 | J.A. |

| | |
|----|--------|
| 3 | A.B. |
| 4 | J.C.G. |
| 5 | L.C. |
| 6 | A.E. |
| 7 | M.F. |
| 8 | R.F. |
| 9 | A.C.H. |
| 10 | A.H. |
| 11 | D.J. |
| 12 | L.A.J. |
| 13 | M.L.R. |
| 14 | M.L.H. |
| 15 | I.F.M. |
| 16 | G.I.M. |
| 17 | E.M.M. |
| 18 | M.R. |
| 19 | S.R.M. |
| 20 | J.A.R. |
| 21 | T.S. |
| 22 | J.V. |

and, in connection with each of the offenses in Counts One through Twenty-Two, the Defendant employed a firearm that had traveled in interstate and foreign commerce, and the Defendant used a channel, facility, and instrumentality of interstate and foreign commerce, and the Defendant's conduct interfered with commercial and other economic activity in which the victims listed above were engaged at the time of the offense. The offense resulted in the death of the victim.

All in violation of Title 18, United States Code, Section 249(a)(2)(A)(ii)(I).

COUNTS TWENTY-THREE THROUGH FORTY-FOUR
(18 U.S.C. §§ 924(c), (j)(1) - Use of a Firearm to
Commit Murder During and In Relation to a Crime of Violence)

Paragraphs numbered 1 through 5 previously alleged in this indictment are re-alleged and incorporated as though fully set forth herein.

7. On or about August 3, 2019, in the Western District of Texas, Defendant PATRICK WOOD CRUSIUS knowingly used, carried, brandished, and discharged a firearm, namely, a GP WASR-10 semi-automatic rifle with serial number A1-65552-18, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the offenses charged in Counts One through Twenty-Two; and caused the death of each victim listed below through the use of a firearm in such a manner as to constitute murder as defined by Title 18, United States Code, Section 1111, in that the Defendant, with malice aforethought, unlawfully killed each victim with the firearm.

| COUNT | VICTIM |
|--------------|---------------|
| 23 | A.A. |
| 24 | J.A. |
| 25 | A.B. |
| 26 | J.C.G. |
| 27 | L.C. |
| 28 | A.E. |
| 29 | M.F. |
| 30 | R.F. |
| 31 | A.C.H. |
| 32 | A.H. |
| 33 | D.J. |
| 34 | L.A.J. |
| 35 | M.L.R. |
| 36 | M.L.H. |
| 37 | I.F.M. |
| 38 | G.I.M. |
| 39 | E.M.M. |
| 40 | M.R. |
| 41 | S.R.M. |
| 42 | J.A.R. |
| 43 | T.S. |
| 44 | J.V. |

All in violation of Title 18, United States Code, Sections 924(c) and 924(j)(1).

COUNTS FORTY-FIVE THROUGH SIXTY-SEVEN
(18 U.S.C. § 249(a)(2) - Hate Crime Involving Attempt to Kill)

Paragraphs numbered 1 through 5 previously alleged in this indictment are re-alleged and incorporated as though fully set forth herein.

8. On or about August 3, 2019, in the Western District of Texas, Defendant PATRICK WOOD CRUSIUS willfully caused bodily injury to the victims listed below because of the actual and perceived national origin of any person:

| COUNT | VICTIM |
|--------------|---------------|
| 45 | P.G.A. |
| 46 | M.A.P. |
| 47 | E.A. |
| 48 | J.A.A. |
| 49 | R.B. |
| 50 | M.A.P.B. |
| 51 | R.C. |
| 52 | L.C. |
| 53 | M.D.A.M. |
| 54 | E.G.D.A.R. |
| 55 | A.E.D.L.R. |
| 56 | G.G.S. |
| 57 | J.G. |
| 58 | M.M.G.G. |
| 59 | M.E.G. |
| 60 | E.C.G. |
| 61 | M.J. |
| 62 | M.S.L. |
| 63 | O.R.L. |
| 64 | O.R.M. |
| 65 | N.E.M.Z. |
| 66 | L.M.P. |
| 67 | R.V. |

and, in connection with each of the offenses in Counts Forty-Five through Sixty-Seven, the Defendant employed a firearm that had traveled in interstate and foreign commerce, and the

Defendant used a channel, facility, and instrumentality of interstate and foreign commerce, and the Defendant's conduct interfered with commercial and other economic activity in which the victims listed above were engaged at the time of the offense. The offense included an attempt to kill.

All in violation of Title 18, United States Code, Section 249(a)(2)(A)(ii)(II).

COUNTS SIXTY-EIGHT THROUGH NINETY
(18 U.S.C. § 924(c) - Use of a Firearm During and In Relation to a Crime of Violence)

Paragraphs numbered 1 through 5 previously alleged in this indictment are re-alleged and incorporated as though fully set forth herein.

9. On or about August 3, 2019, in the Western District of Texas, Defendant PATRICK WOOD CRUSIUS knowingly used, carried, brandished, and discharged a firearm, namely, a GP WASR-10 semi-automatic rifle with serial number A1-65552-18, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the offenses charged in Counts Forty-Five through Sixty-Seven.

| COUNT | VICTIM |
|--------------|---------------|
| 68 | P.G.A. |
| 69 | M.A.P. |
| 70 | E.A. |
| 71 | J.A.A. |
| 72 | R.B. |
| 73 | M.A.P.B. |
| 74 | R.C. |
| 75 | L.C. |
| 76 | M.D.A.M. |
| 77 | E.G.D.A.R. |
| 78 | A.E.D.L.R. |
| 79 | G.G.S. |
| 80 | J.G. |
| 81 | M.M.G.G. |
| 82 | M.E.G. |

| | |
|----|----------|
| 83 | E.C.G. |
| 84 | M.J. |
| 85 | M.S.L. |
| 86 | O.R.L. |
| 87 | O.R.M. |
| 88 | N.E.M.Z. |
| 89 | L.M.P. |
| 90 | R.V. |

All in violation of Title 18, United States Code, Section 924(c).

**NOTICE OF SPECIAL FINDINGS PURSUANT TO
TITLE 18, UNITED STATES CODE, SECTIONS 3591 AND 3592**

THE GRAND JURY FINDS:

10. As to Counts Twenty-Three through Forty-Four, Defendant PATRICK WOOD CRUSIUS,

- i. was 18 years of age or older at the time of the offense;
- ii. intentionally killed the victim (18 U.S.C. § 3591(a)(2)(A));
- iii. intentionally inflicted serious bodily injury that resulted in the death of the victim (18 U.S.C. § 3591(a)(2)(B));
- iv. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim died as a result of the act (18 U.S.C. § 3591(a)(2)(C));
- v. intentionally and specifically engaged in an act of violence, knowing that the act created grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life, and the victim died as a result of the act (18 U.S.C. § 3591(a)(2)(D));

11. As to Counts Twenty-Three through Forty-Four, Defendant PATRICK WOOD CRUSIUS knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (18 U.S.C. § 3592(c)(5));

12. As to Counts Twenty-Three through Forty-Four, Defendant PATRICK WOOD CRUSIUS committed the offense after substantial planning and premeditation to cause the death of a person (18 U.S.C. § 3592(c)(9));

13. As to Counts Twenty-Three through Forty-Four, Defendant PATRICK WOOD CRUSIUS intentionally killed and attempted to kill more than one person in a single criminal episode (18 U.S.C. § 3592(c)(16));

14. As to Counts Twenty-Eight (A.E.), Twenty-Nine (M.F.), Thirty (R.F.), Thirty-One (A.C.H.), Thirty-Two (A.H.), Thirty-Four (L.A.J.), Forty-One (S.R.M.), Forty-Three (T.S.), and Forty-Four (J.V.), the victim was particularly vulnerable due to old age and infirmity (18 U.S.C. § 3592(c)(11)); and

15. As to Count Forty-Two (J.A.R.), the victim was particularly vulnerable due to youth (18 U.S.C. § 3592(c)(11)).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

16. The grand jury re-alleges and incorporates by reference all allegations contained in Counts Twenty-Three through Forty-Four, and Counts Sixty-Eight through Ninety of this indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 924(d); and Title 28, United States Code, Section 2461(c). As part of the commission of the violations of Title 18, United States Code, Sections 924(c) and 924(j)(1), charged in Counts Twenty-Three through Forty-Four, and Counts Sixty-Eight through Ninety of this indictment, the following firearms and ammunition, which were involved and used in the knowing commission of

those offenses, are subject to forfeiture pursuant to Title 18, United States Code, Sections 924(d); and Title 28, United States Code, Section 2461(c):

- a) a GP WASR-10 semi-automatic rifle with serial number A1-65552-18; and
- b) any other property, to include ammunition, which was involved and used in the knowing commission of the offenses specified above.

A TRUE BILL.

ORIGINAL SIGNATURE
REDACTED PURSUANT TO
~~GOVERNMENT ACT OF 2002~~
FOREPERSON OF THE GRAND JURY



JOHN F. BASH
UNITED STATES ATTORNEY
WESTERN DISTRICT OF TEXAS



ERIC S. DREIBAND
ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION