

UNITED STATES DISTRICT COURT

for the

Northern District of Iowa

United States of America

v.

Daniel Henriksen

Defendant(s)

Case No.

17-MJ-120

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 17, 2016 in the county of Fayette in the Northern District of Iowa, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(3)

Prohibited Person in Possession of a Firearm or Ammunition

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

Complainant's signature

Scott Reger, Special Agent - DCI

Printed name and title

Sworn to before me and signed in my presence.

Date:

4/11/2017

Judge's signature

City and state:

Cedar Rapids, Iowa

C.J. Williams, Chief U.S. Magistrate Judge

Printed name and title

STATE OF IOWA)

) ss.

AFFIDAVIT

COUNTY OF LINN)

1. I, Scott Reger, being first duly sworn, on oath depose and state that I am a Special Agent with the Iowa Division of Criminal Investigation and have been employed in this capacity for over 18 years. I am currently assigned to Major Crime Investigations and have been so since September of 2010. Prior to my current assignment, I was assigned to the Iowa Division of Criminal Investigation Special Enforcement Operations Unit. I have over 18 years of law enforcement experience. I have a Bachelor of Science Degree in Sociology with a Minor in Criminal Justice Studies from Iowa State University. In addition, I have received extensive training in the area of criminal investigations during my law enforcement career. This training includes homicide investigation; death investigation; crime scene processing; evidence handling, collection, and packaging; financial crime investigations; criminal intelligence techniques; gaming/background investigations; and sex crime investigations. I am assigned to investigate any criminal acts that may occur within the State of Iowa that the DCI is requested to investigate. In my 18-year law enforcement career I have conducted or assisted with investigations including homicide investigations; death investigations; officer involved shooting investigations; financial crime investigations; gaming/background investigations; narcotics investigations; sex abuse investigations; computer and child exploitation

investigations. In connection with my official duties, I investigate criminal violations of the Federal firearm laws, including, but not limited to, Title 18, United States Code, Section 922(g)(3), prohibited person in possession of a firearm or ammunition.

2. This affidavit is submitted for the purpose of establishing probable cause in support of an application for a warrant to arrest Daniel HENRIKSEN for federal violations, specifically a violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2), Possession of a Firearm by a Prohibited Person.

3. I have been working on this investigation with officers from various agencies, including the Fayette County Sheriff's Office. The information contained in this affidavit includes information gathered by myself as well as other officers. The information contained in this affidavit is drawn from information provided by other law enforcement officials and governmental agencies, my own experience and training, the experience of other agents, the review of documents, and interviews with witnesses. Where statements of others are set forth in this affidavit, they are set forth in substance and are not verbatim. This affidavit contains only a summary of certain relevant facts. I have not included every fact known to me or other investigators concerning the individuals and events described in this affidavit.

4. On the afternoon of June 17th, 2016, a 4 year-old boy (hereinafter "Victim"), his 3 year-old brother, and 4-month old sister, were inside a trailer

located at XXX Main Street in Elgin, Iowa. Victim's mother and another individual were sitting on the deck of the trailer while the children were inside, trying taking a nap. Daniel HENRIKSEN was the owner and primary resident of the trailer, and had allowed Victim's mother and the other individual to have access to the trailer on prior occasions without him being present, but was not present at this time.

5. At approximately 2:47 p.m., the Fayette County Sheriff's Office received a 911 call reporting that a young boy had shot himself in the head at the above address. Law Enforcement and Emergency Medical personnel then responded to the scene. Victim was found to be suffering from a gunshot wound to his head. Victim was transported to Palmer Lutheran Hospital in West Union, Iowa, where he was later pronounced dead.

6. Subsequent investigation into the death of Victim determined that he died from a self-inflicted gunshot wound after finding a loaded handgun in the area near where he was taking a nap. The firearm used by Victim was a Glock 36, .45 caliber handgun. This firearm meets the federal definition of a firearm and was not manufactured in the state of Iowa.

7. Investigators determined that HENRIKSEN was the owner of the Glock 36, .45 caliber handgun. Specifically, during an interview with HENRIKSEN, he admitted to owning and possessing the firearm on and before June 17, 2016. He indicated to officers that he kept the firearm at his residence.

8. During the course of the investigation, officers also determined that HENRIKSEN was an unlawful user of a controlled substance as defined in 21 U.S.C. § 802, specifically marijuana. First, HENRIKSEN admitted to police that he was a drug user and had smoked marijuana in the trailer the night before the shooting (June 16th, 2016) with several other individuals. During a search of HENRIKSEN'S trailer, officers seized several items of drug paraphernalia, including marijuana smoking devices. HENRIKSEN claimed ownership of these items. Several of these items were analyzed at the Iowa Division of Criminal Investigation Criminalistics Laboratory and tested positive for marijuana. HENRIKSEN'S associates were questioned, and some provided information regarding HENRIKSEN'S use of marijuana. For example, individuals provided information about using marijuana with HENRIKSEN on multiple occasions during the summer of 2016, or having knowledge of HENRIKSEN using marijuana during the summer of 2016.


9. Investigators also executed multiple search warrants for HENRIKSEN'S cellular telephone records. During a review of the text messages located in HENRIKSEN'S cellular telephone records, investigators came across text messages consistent with HENRIKSEN being involving in the possession, distribution, and use of marijuana.

10. Based on the foregoing, my knowledge, training and experience, and

that of other agents, I respectfully submit there is probable cause to believe that Daniel HENRIKSEN has committed a violation of Title 18, United States Code, Section 922(g)(3).


I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 11, 2017



SCOTT REGER
Special Agent
Iowa Division of Criminal Investigation

SUBSCRIBED AND SWORN to before me by SCOTT REGER on April 11, 2017.



C.J. WILLIAMS
Chief United States Magistrate Judge
Northern District of Iowa