

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Case No. 26-mj-58 (JFD)

STATE OF MINNESOTA )  
                          ) UNDER SEAL  
COUNTY OF RAMSEY    )

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Richard Berger, being duly sworn, do hereby state as follows:

**INTRODUCTION & AGENT BACKGROUND**

1. I am Special Agent with the U.S. Homeland Security Investigations, Department of Homeland Security (HSI) and have been so employed since September 2009. I am a graduate of the Federal Law Enforcement Training Center, which consisted of the Criminal Investigator Training Program, and U.S. Immigration and Customs Enforcement Special Agent Training.

2. Prior to working with HSI, I was employed as a U.S. Customs and Border Protection Officer for approximately four years. During my career, I have conducted and participated in multiple investigations involving the unlawful importation and the distribution of controlled substances, the assault and hinderance of federal officers while engaged in the performance of their official duties, fraud and identity theft

violations, export violations, financial crimes, illegal alien smuggling and various immigration violations. During these investigations, I have conducted physical surveillance, executed arrest and search warrants, reviewed tape-recorded conversations, and personally interviewed numerous sources of information as well as confidential sources.

3. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing a complaint and arrest warrant for Gillian Suzanne ETHERINGTON (XX/XX/1995) for assault of a federal officer using a deadly weapon, in violation of Title 18, United States Code, Section 111(b), and for the damaging of government property, in violation of Title 18, United States Code, Section 1361.

4. This affidavit is based on my personal knowledge, as well as information I have learned from other law enforcement officers and the review of reports, written materials, and recordings at the writing of this affidavit. This affidavit does not include all the details I have learned regarding this investigation. Rather, it only includes information believed to be sufficient to establish probable cause.

#### **PROBABLE CAUSE**

5. On January 07, 2026, at approximately 1500hrs agents and

officers with the United States Border Patrol (USBP) and Customs and Border Protection (CBP) Office of Professional Responsibility (OPR) were conducting roving operations in the Minneapolis / Saint Paul area.

6. While performing these duties, federal law enforcement agents observed a Toyota pickup bearing license plate MN PVK 832, operated by ETHERINGTON, driving erratically, and swerving in and out of traffic. ETHERINGTON then bumped into a USBP vehicle which caused the USBP roving motorcade convoy to be separated. The USBP vehicle convoy attempted to evade the Toyota with no success and subsequently boxed in the Toyota.

7. USBP agents, wearing clearly marked law enforcement clothing, exited their vehicles and warned the driver of the Toyota to stop following the agents. The driver of the Toyota then rammed the rear of one USBP vehicle and drove away. The USBP vehicles followed the Toyota until the Toyota made a U-turn and drove into oncoming traffic striking an unmarked law enforcement car near Roosevelt High School in Minneapolis.

8. USBP agents exited their cars and commanded ETHERINGTON to exit the Toyota. ETHERINGTON did not comply

with USBP commands and refused to exit the car.

9. BPAs 1 and 2 approached the vehicle and used their duty batons to break the Toyota driver and passenger windows. ETHERINGTON then attempted to place the Toyota into gear, but the agents removed ETHERINGTON from her car, pulled her to the ground, and attempted to arrest her.

10. ETHERINGTON resisted the agents' efforts and yelled "Free Palestine!" During the agents' attempts to detain ETHERINGTON, ETHERINGTON also tried to grab the duty weapon of BPA 3, which caused the gun to fall on the ground and out of BPA 3's reach. Multiple BPAs eventually detained ETHERINGTON and placed her under arrest for violating Title 18, United States Code, Sections 111(b), and 1361.

## **CONCLUSION**

11. Based on the information set forth above, there is probable cause to believe that Gillian Suzanne ETHERINGTON, using a deadly weapon, forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with officers in performance of their official duties, in violation of Title 18, United States Code, Section 111(b). In addition, Gillian Suzanne ETHERINGTON willfully damaged property of the United

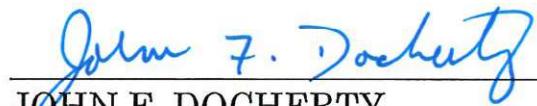
States in violation of Title 18, United States Code, Section 1361.

Further your Affiant sayeth not.



Richard Berger  
Special Agent, HSI

SUBSCRIBED and SWORN before me  
by reliable electronic means via FaceTime  
and email pursuant to Fed. R. Crim. P. 41(d)(3) on  
January 23, 2026



John F. Docherty  
JOHN F. DOCHERTY  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT OF MINNESOTA