

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Case No. 26-mj-77 (DJF)

STATE OF MINNESOTA) UNDER SEAL
) ss. Richard Berger
COUNTY OF HENNEPIN)

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 human trafficking violations, child pornography, 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 Kirubele ADBEBE for a violation of Title 18, United States Code, Section 111(a).

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 13, 2026, at approximately 2:00 p.m., Federal Protective Service (FPS) Inspectors (hereafter FPS 1 and 2) responded to a call at the main gate of the Bishop Henry Whipple Federal Building in Ft. Snelling, Minnesota regarding a protester interfering with government vehicles. FPS Inspectors were wearing law enforcement equipment with law enforcement markings. From drone footage and photographs, FPS observed an individual on federal property spitting on at least one passing government vehicle, kicking tires, and opening the trunk of a moving government vehicle, in

violation of 6 C.F.R. § 139.35. FPS subsequently identified this individual as Kirubele ADBEBE.

6. FPS Inspectors, along with Special Response Team (SRT) personnel, approached ADBEBE to conduct an apprehension. Upon contact, ADBEBE resisted by pulling away from FPS 1 and refused repeated commands to stop resisting and place his hands behind his back. SRT personnel deployed chemical munitions, and ADBEBE continued to resist by keeping his hands underneath his body. FPS Inspectors were eventually able to place ADBEBE in handcuffs.

7. After arrest, ADBEBE refused to enter the FPS vehicle despite multiple warnings and had to be physically assisted into the vehicle. Upon arrival to an area away from the main gate, ADBEBE ignored commands to exit the vehicle and was assisted out by FPS 2. During this time, an FPS Supervisor (FPS 3) responded to FPS 1 and 2. While being held against the side of the FPS vehicle, ADBEBE intentionally turned his head and forcibly spit on FPS 3's right forearm. FPS 1 and 2 personnel observed that ADBEBE drew in spit and deliberately spit at and on FPS 3.

8. I (along with other agents) reviewed drone footage of the incident. I identified ADBEBE opening the trunk of a government employee vehicle, spitting on a gray Dodge Durango, repeatedly kicking vehicles, and standing directly in front of a government vehicle to impede its travel. Additionally,

drone footage revealed it took multiple law enforcement officers to subdue and arrest ADBEBE while he was on the ground.

CONCLUSION

9. Based on the information set forth above, there is probable cause to believe that the Defendant, Kirubele ADBEBE, forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with a federal officer in performance of official duties, and the act(s) involved physical contact with Victim 1, in violation of Title 18, United States Code, Section 111(a).



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 26, 2026



DULCE J. FOSTER
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF MINNESOTA