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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WILEY GILL; JAMES PRIGOFF; TARIQ
RAZAK; KHALID IBRAHIM; and AARON
CONKLIN,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE; LORETTA
LYNCH, in her official capacity as the
Attorney General of the United States;
PROGRAM MANAGER – INFORMATION
SHARING ENVIRONMENT;
KSHEMENDRA PAUL, in his official
capacity as the Program Manager of the
Information Sharing Environment,

Defendants.

Case No. 3:14-cv-03120-RS-KAW

**DECLARATION OF WILEY GILL IN
SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

Hearing Date: December 8, 2016
Time: 1:30 pm
Judge: Hon. Richard Seeborg
Courtroom: 3, 17th Floor
Date of Filing: July 10, 2014
Trial Date: None Set

1 I, Wiley Wayne Gill, declare as follows:

2 1. I am one of the Plaintiffs in the above-titled action. I submit this declaration in
3 support of Plaintiffs' Motion for Summary Judgment and Plaintiffs' Opposition to Defendants'
4 Motion for Summary Judgment. I have personal knowledge of each fact stated in this declaration
5 and, if called as a witness, I could and would competently and truthfully testify hereto.

6 2. I am a U.S. citizen and was born in San Francisco, California. I reside in Chico,
7 California.

8 3. I attended Butte Community College. I transferred from Butte Community
9 College to California State University, Chico ("Chico State"), where I completed my
10 undergraduate degree in 2010. I learned about Islam during a course I took at Chico State, and in
11 2009, I decided to convert to Islam. I have researched Islam extensively and believe it is the right
12 path and the right religion for me.

13 4. After college, I was out of work for a while, but in 2012, I took a job at Chico
14 State as a janitor, working the night shift from 6:00 P.M. to 2:30 A.M. I continue to work as a
15 janitor at Chico State and I am now also in the process of getting a certification to be a counselor.

16 5. On December 3, 2013, my attorneys submitted on my behalf a request under the
17 California Public Records Act to the Central California Intelligence Center ("CCIC") for records
18 about me. By letter dated January 3, 2014, the CCIC responded to the request and produced a
19 "Suspicious Activity Report" ("SAR") about me. A true and correct copy of the CCIC's response
20 and the SAR about me that it enclosed with its response is attached as Exhibit 1 to this
21 declaration.

22 6. I have had a number of encounters with the Chico Police Department ("CPD"). It
23 is my understanding that several of those encounters have been documented in the SAR about me.

24 7. My first encounter with CPD occurred sometime around September, 2010, after I
25 had newly converted to Islam. Two CPD officers visited me at my apartment at around 10:30
26 A.M. I had just woken up and did not even have my contact lenses in, and thus I was somewhat
27 disoriented when I went to the door. One of the CPD officers identified himself as Officer Jim
28

1 Parrot; I do not remember the other officer's name. Officer Parrot said that they wanted to speak
 2 with me about certain "anti-American statements" I had supposedly made. I informed him that I
 3 had no idea what he was talking about and asked him to explain what he meant. Officer Parrot
 4 referred to having a "file" on me, which was not in his possession at the time, but he refused to
 5 explain what he meant by "anti-American statements." The Officer also made a point to state that
 6 he knew I had recently been to San Francisco with some friends and had seen me later that day
 7 having lunch at Granzella's, a restaurant in Williams, California; this led me to worry about
 8 whether he had been following me. He also told me that he wanted to make sure that I did not
 9 turn into another Mohammed Atta, one of the individuals identified as a September 11th hijacker.
 10 This made me very upset because I believe Officer Parrot was negatively judging my religion and
 11 I did not even know how Officer Parrot knew I was Muslim. I asked Officer Parrot if he would
 12 be saying these things to me if I had converted to Christianity or another religion and the
 13 conversation ended with Officer Parrot leaving me his business card.

14 8. Sometime in 2011, I had another interaction with CPD. I was at the Chico Islamic
 15 Center when CPD officers made a visit to the mosque. I believe that the CPD officers
 16 characterized their presence as being a courtesy visit intended to build good relations with the
 17 Muslim community. I listened to the presentation and then a CPD officer asked me my name,
 18 whether I went to school, and if I was employed. I responded with my name, that I had graduated
 19 from Chico State, and that I was unemployed. I do not believe the CPD officers asked anyone
 20 else questions like those that were asked of me. I believe this interaction was reported in the SAR
 21 about me; it states that the reporting agent found me to be "hesitant to interact with law
 22 enforcement," and claimed that I "avoided eye contact, and appeared to be eavesdropping while I
 23 [the agent] spoke with other members [of the mosque]." The SAR also noted that, "based on his
 24 appearance [full beard and traditional garb] is a full convert to Islam at the young age of 26."
 25 (Bracketed text in original). This was especially odd to me, since I was wearing blue jeans and a
 26 tee-shirt at the time.

27 9. At some point after the above incident, I was approached by yet another CPD
 28

1 officer. I was walking around in downtown Chico with two older Muslim men who are friends of
2 mine when we passed three CPD officers walking on the same street. One of the officers asked if
3 I was Wiley, and asked if I had found a job. I confirmed my identity, told him I had not yet found
4 a job, and jokingly asked if they wanted to give me one. They responded in the negative and the
5 interaction essentially ended. This interaction was likewise reported in the SAR about me; it
6 states that, “[s]ince the interaction I have seen [redacted] several times walking through
7 [redacted] in traditional garb walking with elders of [redacted], I approached the group on at least
8 one occasion and found [redacted] to avoid eye contact and hesitant to answer questions.”

9
10 10. Around May 20, 2012, I had another encounter with CPD. At the time, I was
11 living at the small house on the same property as the Chico Islamic Center. I very much enjoy
12 playing video games, and on that day, I was viewing a series of online reviews of different video
13 games. I had my headphones on but was able to discern that someone was knocking loudly on
14 the front door of my house. I got up from my computer and went to answer the door. Upon
15 opening the door, I said “hello,” but I could not see anyone there. A moment later, two CPD
16 officers came from around the back to the front door with their guns drawn and pointed at me.
17 The CPD officers identified themselves and they told me they were investigating a domestic
18 violence call. With their guns still drawn, the CPD officers instructed me to step outside of my
19 house. I put my hands over my head and stepped outside of my house and leaned my hands
20 against a glass window. At this point, the CPD officers lowered their guns. I informed the
21 officers that there was no one inside the house, but they would not listen to me. Instead, they
22 asked me if they could walk through the house. I told them I thought their shoes were dirty,
23 indicating that I did not want them to walk through my house with their dirty shoes, but they
24 asked again. I asked them if they had to search the house and the CPD officers responded that
25 they wanted to search it to make sure no one was there. One officer stayed outside with me while
26 the other went inside my house.

27 11. After searching my house, the CPD officer came outside the house and asked for
28 my identification, which I showed him; after looking at it briefly he handed it back to me and then

1 both officers left. This interaction too was reported in the SAR about me; it states that the officer
2 had looked at my computer and that my computer display was opened to a screen stating “Games
3 that fly under the radar,” and that according to the officer, this appeared to be some sort of “flight
4 simulator type of game.” The SAR also describes the following characteristics about me as
5 “worthy of note”: “full conversion to Islam as a young WMA [white, male, adult],” “pious
6 demeanor,” and “potential access to flight simulators over via [sic] the internet.” I felt that the
7 CPD officers were just looking for a reason to look inside my house. Indeed, the SAR even notes
8 that the supposed “domestic violence incident” was “later determined to be unfounded.” Because
9 the SAR specifically discusses my religion and “pious demeanor” as “worthy of note,” I believe
10 that the CPD officers had targeted me specifically and did so because of my religion.

11 12. A couple of months after this incident, in July 2012, I got a phone call from
12 Officer Parrot of CPD. Officer Parrot informed me that he had spoken with me before and I told
13 him that I remembered him. He then told me that I should take down my Facebook page because
14 of my posts about video games. I responded that I would not take down my Facebook page and
15 that I did not believe that my posts about video games were the reason for Officer Parrot’s
16 request. I believe that the reason I was told to take down my Facebook page is because of my
17 Islamic faith. Officer Parrot then told me that I was on a watch list and ended the call.

18 13. The call with Officer Parrot really upset me. I believe I was being targeted and am
19 continually being subjected to law enforcement visits and scrutiny simply because of my religious
20 beliefs.

21 14. Through my attorneys, I filed a Freedom of Information Act request with the
22 Federal Bureau of Investigation (“FBI”) for records in its possession about me, and the FBI’s
23 response shows that it maintains a file about me. By letters dated June 23, 2014 and February 29,
24 2016, I received documents from the FBI referencing information contained in the SAR. A true
25 and correct copy (with personally identifying information redacted) of the June 23, 2014 letter—
26 along with the attached documents about me—is attached to this declaration as Exhibit 2. A true
27 and correct copy (with personally identifying information redacted) of the February 29, 2016
28

1 letter—along with the attached documents about me—is attached to this declaration as Exhibit 3.

2 15. I believe that, because of the SAR about me, information about me has been
3 uploaded to eGuardian and an FBI database. Based on my review of the Defendants' Answer in
4 this matter, it is my understanding that an incident report containing information in the SAR
5 about me was uploaded to eGuardian, which I understand to be a national database to which law
6 enforcement agencies across the country have access. In addition, based on the documents I
7 received from the FBI in response to my FOIA request, I believe the FBI also maintains, in some
8 kind of database, information about me related to the information in the SAR about me.

9 16. As a result of the inclusion of this information about me in these databases, my
10 reputation has been injured, as I have been branded as a person engaged in activity with a
11 potential nexus to terrorism, even though I was simply looking at online reviews of video games.

12 17. In addition, as a result of the inclusion of this information about me in these
13 databases, my privacy has been invaded because any person with access to either database has
14 access to information about me, even though I was simply looking at online reviews of video
15 games.

16 18. I believe I and even my family members have been subjected to additional law
17 enforcement scrutiny because of the existence of the SAR about me.

18 19. After I filed this lawsuit, in August 2015, my sister told me that she was visited by
19 FBI agents. She conveyed to me that the officers asked her a series of questions about me and my
20 religious beliefs. I am concerned that those questions were prompted because of the SAR,
21 because I brought this lawsuit, or both.

22 20. Given the repeated harassment I have been subjected to, including the questioning
23 of my sister about my religious beliefs, I fear that further action may be taken against me by the
24 FBI or by CPD as a result of the SAR about me. I also fear that further investigative harassment
25 at the hands of the FBI or CPD might occur due to the existence of the SAR on me.

26 21. I continue to experience frustration and stress resulting from the creation of the
27 SAR based on my innocent conduct of playing and reading about video games and attending
28

1 religious services. I am also deeply troubled by what may result from the collection,
 2 maintenance, and dissemination in a national database of a report describing me as engaging in
 3 suspicious activity with a potential nexus to terrorism.

4 22. I believe that the defendants in this case would have benefited from input from the
 5 public on the standard for suspicious activity reporting. I would have wanted the defendants to
 6 know when they adopted their standard for suspicious activity reporting that a standard that does
 7 not require reasonable suspicion of criminal activity harms innocent people, like me, who have
 8 not engaged in any wrongdoing: it makes us the targets of law enforcement scrutiny; puts our
 9 information in government databases; and adversely affects our reputations by identifying us as
 10 individuals who have engaged in conduct with a potential nexus to terrorism. I would also have
 11 wanted the defendants to know the specific facts of my case so that they could understand the
 12 factual basis for my concerns. I would specifically have wanted the defendants to understand,
 13 based on what happened to me, that their standard for suspicious activity reporting encourages
 14 racial and religious profiling. I was not aware that the defendants sought input on the standard for
 15 suspicious activity reporting. As a result, I did not have an opportunity to share my perspective or
 16 the factual basis for my concerns.

17 I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th
 18 day of September 2016 in Chico, California.

19
 20 23.

21 By: 

22 Wiley Wayne Gill
 23
 24
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FILER'S ATTESTATION

I, Phillip J. Wiese, am the ECF user whose identification and password are being used to file this DECLARATION OF WILEY GILL IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT. Pursuant to L.R. 5-1(i)(3), I hereby attest that concurrence in the electronic filing of this document has been obtained from each of the other signatories.

Dated: September 22, 2016

By /s/ Phillip J. Wiese
Phillip J. Wiese

EXHIBIT 1



Central California Intelligence Center

www.sacrtac.org ♦ (916) 808-8383 or (888) 884-8383 ♦ Fax (916) 874-6180

January 3, 2014

Mr. Yaman Salahi
Staff Attorney
Asian Americans Advancing Justice
Asian Law Caucus
55 Columbus Ave.
San Francisco, CA 94111
(415) 896-1701

Dear Mr. Salahi:

This letter is in response to the Public Records Act request received from the Asian Law Caucus dated December 3, 2013.

After reviewing your Public Records Act request it appears the request is for additional SAR data, from the timeframes of June 2010 to June 2012, stored in the CCIC databases and previously submitted to the ACLU in August 2012. You have specifically requested the following:

"This letter constitutes a request under the California Public Records Act, Cal. Gov. Code 6250, et seq., and Article I s 3(b) of the California Constitution on behalf of Mr. Wiley Wayne Gill for all records, including but not limited to Suspicious Activity Reports, pertaining to or referencing Mr. Gill."

The CCIC/RTAC has located only one (1) Suspicious Activity Report (SAR) related to Mr. Gill. Please see the attached redacted SAR (enclosure 1). After a thorough review of our records, there is no further information available regarding Mr. Wiley Wayne Gill.

Respectfully,

A handwritten signature in black ink, appearing to read "Herb Brown", is written over a horizontal line.

Herb Brown, Executive Director
Central California Intelligence Center
(916) 874-1287

Enclosures (1)

ENCLOSURE 1

Memorandum Record	Date Created	Activity Date	Title	Disposition	Disposition Guardian	Activity
CCSA0000 2180	5/23/2012	5/20/2012	Suspicious Male Subject in Possession of Flight Simulator Game	pending		<p>During early 2011 I made a professional visit to the [REDACTED] at [REDACTED] (I was in a full patrol uniform). During the visit I found the members to be welcoming and appreciative of the visit with the exception of one subject later identified as [REDACTED]; CDL # [REDACTED].</p> <p>[REDACTED] was hesitant to interact with law enforcement, avoided eye contact, and appeared to be eavesdropping while I spoke with other members. I believe [REDACTED] reported he was a previous student of [REDACTED] is a [REDACTED] who based on his appearance (full beard and traditional garb) is a full convert to Islam at the young age of 26. [REDACTED] does not have a job at the time and was living on site at [REDACTED]. Since this interaction I have seen [REDACTED] several times walking through [REDACTED] in traditional garb walking with elders of [REDACTED]. I approached the group on at least one occasion and found [REDACTED] to avoid eye contact and hesitant to answer questions.</p> <p>On 5/20/12 [REDACTED] was investigating a domestic violence incident that took him to [REDACTED] in search of a suspect. During the search he conducted a cursory search of [REDACTED]'s house as there was some indication he suspect may have fled into the residence (later determined to be unfounded). [REDACTED] found the house immaculate. [REDACTED] was not very happy with [REDACTED] entering the house, presumably because he still had his shoes on. [REDACTED] noticed [REDACTED] had a computer console located in the residence. As [REDACTED] attempted to hastily close down the screen [REDACTED] was on a [REDACTED] page titled something similar to "Games that fly under the radar." [REDACTED] noted [REDACTED] appeared to be accessing a flight simulator type of game. [REDACTED] full conversion to Islam as a young WMA and pious demeanor is rare. Coupled with the fact he is unemployed, appears to shun law enforcement contact, has potential access to flight simulators via the internet which he tried to minimize is worthy of note.</p>

EXHIBIT 2

U.S. Department of Justice



Federal Bureau of Investigation
 Washington, D.C. 20535

June 23, 2014

MR. YAMAN SALAH
 STAFF ATTORNEY
 ADVANCING JUSTICE - ASIAN LAW CAUCUS
 55 COLUMBUS AVENUE
 SAN FRANCISCO, CA 94111

FOIPA Request No.: 1242637-000
 Subject: GILL, WILEY WAYNE

Dear Mr. Salah:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

Section 552☒ (b)(1)☐ (b)(2)☒ (b)(3)50 USC § 3024(i)(1)☐ (b)(4)☐ (b)(5)☒ (b)(6)☐ (b)(7)(A)☐ (b)(7)(B)☒ (b)(7)(C)☒ (b)(7)(D)☒ (b)(7)(E)☐ (b)(7)(F)☐ (b)(8)☐ (b)(9)**Section 552a**☐ (d)(5)☒ (j)(2)☐ (k)(1)☐ (k)(2)☐ (k)(3)☐ (k)(4)☐ (k)(5)☐ (k)(6)☐ (k)(7)

16 pages were reviewed and 16 pages are being released.

☐ Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

☐ referred to the OGA for review and direct response to you.

☐ referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

☒ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

☒ You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosures

In response to your Freedom of Information/Privacy Act (FOIPA) request submitted to the Records Management Division at Winchester, VA, enclosed is a processed copy of the documents responsive to your request.

The enclosed documents responsive to your request are exempt from disclosure in their entirety pursuant to the Privacy Act, Title 5, United States Code, Section 552(a), subsection (j)(2). However, these records have been processed pursuant to the Freedom of Information Act, Title 5, United States Code, Section 552, thereby affording you the greatest degree of access authorized by both laws.

The enclosed material is being provided at no charge.

EXPLANATION OF EXEMPTIONS**SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

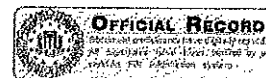
- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

DECLASSIFIED BY NSICG/075J69761
ON 02-19-2014

FD-1036 (Rev. 10-16-2009)

~~SECRET//NOFORN~~**FEDERAL BUREAU OF INVESTIGATION****Import Form**

Form Type: FD-71A

Date: 08/09/2012

Title: U [REDACTED]

b6
b7C
b7E

Approved By: [REDACTED]

(U) Drafted By: [REDACTED]

Case ID #: [REDACTED]

~~(S)~~ ZERO FILE -

Synopsis: U On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. [REDACTED]

[REDACTED]

~~Reason: 1.4(b), (c), (d)~~~~Derived From: Multiple Sources~~~~Declassify On: 20370809~~

♦♦

~~SECRET//NOFORN~~

Serial 49

DECLASSIFIED BY NSICG/J76365761
ON 02-28-2014~~SECRET//NOFORN~~

Generated: 08/09/2012 3:34 PM EDT

Incident Summary

197249_SC (U)

(U) On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. [REDACTED]

b6
b7C
b7E

Subjects

(U) Wiley Wayne GILL (Male, Approx. Age 26)

Eye Color: Brown
 Hair Color: Brown
 Height: 73 inches
 Weight: 200 lbs.
 Build: Medium
 US Person: Yes
 Public Figure: No
 Complexion: Fair

Witnesses

(U) [REDACTED] Police Officer (Male)
 Other Information: Chico Police Department Officer
 Witness Type: Law Enforcement
 Protect Witness: No
 Witness Available: Yes

(U) [REDACTED] Detective (Male)
 Other Information: Chico Police Department TLO
 Officer
 Witness Type: Law Enforcement
 Witness Available: Yes

Other Persons

Targets

Vehicles

Weapons

Locations

~~SECRET//NOFORN~~

(U) The Islamic Center of Chico

Other
 1316 Nord Avenue
 Chico, California 95927
 United States

Leads

Attachments

(U)

Links

Notes

(U) GILL, Wiley

Description: Birth Date Range Begin: [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

b6
 b7C
 b7E

(U) Incident Additional Details

Description: The CPD officer reported that he initially met GILL in 2011 when he made an official visit to The Islamic Center of Chico where GILL was a member. He said all of the members were welcoming and appreciative of a visit from law enforcement with the exception of GILL. Additionally, GILL is described as avoiding eye contact, hesitant to interact with the officer, and at one point appeared to be eavesdropping while the officer spoke with other members at the center. The officer reported that GILL did not have a job and resided at the Mosque.

The officer described GILL as being agitated during the recent encounter, possibly because GILL is a Muslim and the officer was wearing shoes inside his residence.

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Witness [REDACTED] Police Officer additional information

Description:

Credible: [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident Additional Details

Description:

male subject: Wiley Wayne GILL DOB: [REDACTED]

Status: Approved

Attachments:

History:

~~SECRET//NOFORN~~

08/08/2012 04:48 PM Imported note from [REDACTED]

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(U) Witness [REDACTED] Detective additional information

Description:

Credible [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident Additional Details

Description: On Jul 27, 2012, Central California Intelligence Center Analyst [REDACTED] conducted basic database queries on Wiley Wayne GILL [REDACTED]

A California DMV records check returned a match to a valid Class C non-commercial California driver's license number [REDACTED], with an expiration date of February 21, 2015 and a mailing address of [REDACTED] in Chico. An address of [REDACTED] in Chico is listed as (Other) in the DMV record as of May 4, 2007. GILL is the registered owner of a 1973 Plymouth Valiant, 2-door hardtop, license number [REDACTED]. The Islamic Center of Chico at 1316 Nord Avenue in Chico is the listed address for the vehicle.

Query searches of NCIC, Automated Firearms System, Coplink [REDACTED] Sac Known Persons Finder, Parole Leads, Supervised Release File, Wanted Persons, Missing and Unidentified Persons, Sex and Arson Registration searches returned no information on GILL.

A search of automated Criminal History Search returned no derogatory information. The subject has a CII number of [REDACTED] as an applicant for a public agency.

The TLO.com CLEAR public database records for GILL lists The Islamic Center of Chico at 1316 Nord Avenue in Chico as his last known address. There are two known phone numbers listed in GILL's name, which include a cell phone [REDACTED] and a land-line phone [REDACTED].

An open source query returned no matches to GILL on social media network accounts such as Facebook and MySpace, and no matches on search engines Yahoo, Google, and Bing.

A search of the [REDACTED]
[REDACTED]
[REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident additional information

Description: Submitting Organization Details

ORI: CAF00100

Name: Sacramento CCIC

Email: [REDACTED]

Agency Name 1: Sacramento CCIC

City: Sacramento

State: CA

Country: US

Field Office: SO

~~SECRET//NOFORN~~

Incident Author Information

ORI: CAFCU0100

Email: [REDACTED]

Last Name: [REDACTED]

First Name: [REDACTED]

Police Report: None

Created Timestamp: 2012-08-02T16:46:32.166

Modified Timestamp: 2012-08-08T16:34:43.324

Approved

Status:

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [REDACTED]

(U) Incident Additional Details

Description: On 8/2/2012, FBI/IA [REDACTED] queries on the subject [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [REDACTED]

(U)

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Investigative Method: Access/examine FBI/DOJ records, and obtain information from FBI/DOJ personnel.

Description:

(U) IA [REDACTED] FBI, conducted [REDACTED]

[REDACTED]

(U) [REDACTED]

[REDACTED]

(U)

~~(S//NF)~~

[REDACTED]

(U) [REDACTED]

(U) [REDACTED]

No additional information was found

Completed

Status:

Attachments:

History:

08/09/2012 01:19 PM

[REDACTED]

Disposition

Workflow

08/08/2012 04:48 PM

Imported Incident from [REDACTED]

Assigned By [REDACTED]

08/09/2012 01:21 PM

Incident assigned

Assigned To [REDACTED]

Assigned By [REDACTED]

Assigned To [REDACTED]

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~~SECRET//NOFORN~~

08/09/2012 03:33 PM Incident opened

Assigned By:

Assigned To:



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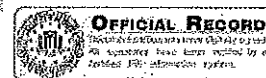
SENTINEL Uploads

(S)

CLASSIFIED BY NSICG/376J65761
 REASON: 1.4 (c)
 DECLASSIFY ON: 02-25-2039
 DATE: 02-25-2014

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

FD-1036 (Rev. 10-16-2009)

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FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: FD-71A

Date: 10/03/2012

Title: U

Approved By:

Drafted By:

Case ID #:

~~(S)~~ ZERO FILE -

Synopsis: U On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. [REDACTED]

~~Reason: 1.4(b), (c), (d)
 Derived From: Multiple
 Sources
 Declassify On: 20370809~~

♦♦

(S)

~~SECRET//ORCON/NOFOR~~

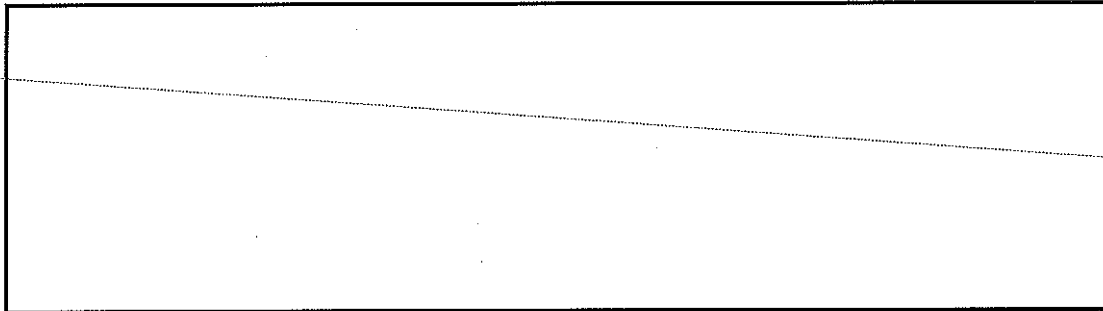
Serial 18

CLASSIFIED BY NSICG/J75J65T61
 REASON: 1.4 (c)
 DECLASSIFY ON: 02-25-2089
 DATE: 02-25-2014

~~SECRET//ORCON/NOFOR~~

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

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Generated: 10/03/2012 12:20 PM EDT

Incident Summary

197249_SC (U)

(U) On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer [REDACTED]

Subjects

(U) Wiley Wayne GILL (Male, Approx. Age 26)

Eye Color: Brown
 Hair Color: Brown
 Height: 73 inches
 Weight: 200 lbs.
 Build: Medium
 US Person: Yes
 Public Figure: No
 Complexion: Fair

Witnesses

(U) [REDACTED] Police Officer (Male)
 Other Information: Chico Police Department Officer
 Witness Type: Law Enforcement
 Protect Witness: No
 Witness Available: Yes

(U) [REDACTED] Detective (Male)
 Other Information: Chico Police Department TLO
 Officer
 Witness Type: Law Enforcement
 Witness Available: Yes

Other Persons

~~SECRET~~

(S)

~~SECRET//ORCON/NOFORN~~

Targets

Vehicles

Weapons

Locations

(U) The Islamic Center of Chico

Other:

1316 Nord Avenue
Chico, California 95927
United States

Leads

Attachments

Links

Notes

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(U) GILL, Willey

Description: Birth Date Range Begin: [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident Additional Details

Description: The CPD officer reported that he initially met GILL in 2011 when he made an official visit to The Islamic Center of Chico where GILL was a member. He said all of the members were welcoming and appreciative of a visit from law enforcement with the exception of GILL. Additionally, GILL is described as avoiding eye contact, hesitant to interact with the officer, and at one point appeared to be eavesdropping while the officer spoke with other members at the center. The officer reported that GILL did not have a job and resided at the Mosque.

The officer described GILL as being agitated during the recent encounter, possibly because GILL is a Muslim and the officer was wearing shoes inside his residence.

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Witness [REDACTED] Police Officer additional information

Description:

Credible [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident Additional Details

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Description:

Male subject, Wiley, Wayne GILL, DOB: [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Witness

Detective additional information

Description:

Credible [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident Additional Details

Description:

On Jul 27, 2012, Central California Intelligence Center Analyst [REDACTED] conducted basic database queries on Wiley Wayne GILL. [REDACTED]

A California DMV records check returned a match to a valid Class C non-commercial California driver's license number [REDACTED] with an expiration date of February 21, 2015 and a mailing address of [REDACTED] in Chico. An address of [REDACTED] in Chico is listed as [REDACTED] Other, in the DMV record as of May 4, 2007. GILL is the registered owner of a 1973 Plymouth Valiant, 2-door hardtop, license number [REDACTED]. The Islamic Center of Chico at 1316 Nord Avenue in Chico is the listed address for the vehicle.

Query searches of NCIC, Automated Firearms System, Coplink [REDACTED] Sac Known Persons Finder, Parole Leads, Supervised Release File, Wanted Persons, Missing and Unidentified Persons, Sex and Arson Registration searches returned no information on GILL.

A search of automated Criminal History Search returned no derogatory information. The subject has a CII number of [REDACTED] as an applicant for a public agency.

The TLO.com CLEAR public database records for GILL lists The Islamic Center of Chico at 1316 Nord Avenue in Chico as his last known address. There are two known phone numbers listed in GILL's name, which include a cell phone, [REDACTED] and a land-line phone, [REDACTED].

An open source query returned no matches to GILL on social media network accounts such as Facebook and MySpace, and no matches on search engines Yahoo, Google, and Bing.

A search of the [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

(U) Incident additional information

Description: Submitting Organization Details

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ORI: CAFCD0100
 Name: Sacramento CCIC
 Email: [REDACTED]
 Agency Name: Sacramento CCIC
 City: Sacramento
 State: CA
 Country: US
 Field Office: SC

Incident Author Information

ORI: CAFCD0100

Email: [REDACTED]

Last Name: [REDACTED]

First Name: [REDACTED]

Police Report: None

Created Timestamp: 2012-08-02T16:48:32.166

Modified Timestamp: 2012-08-08T16:34:43.324

Approved

Status:

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

(U) Incident Additional Details

Description: On 8/2/2012, FBI/IA [REDACTED] queries on the subject [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

(U)

~~(S/NF)~~ Classified database checks

Investigative: Access/examine FBI/DOJ records, and obtain information from FBI/DOJ personnel.

Method:

Description: (U) IA [REDACTED] FBI conducted [REDACTED]

(U)

(U)

~~(S/NF)~~

No additional information was found

Completed

Status:

Attachments:

History:

08/09/2012 01:19 PM [REDACTED] [REDACTED]

(U)

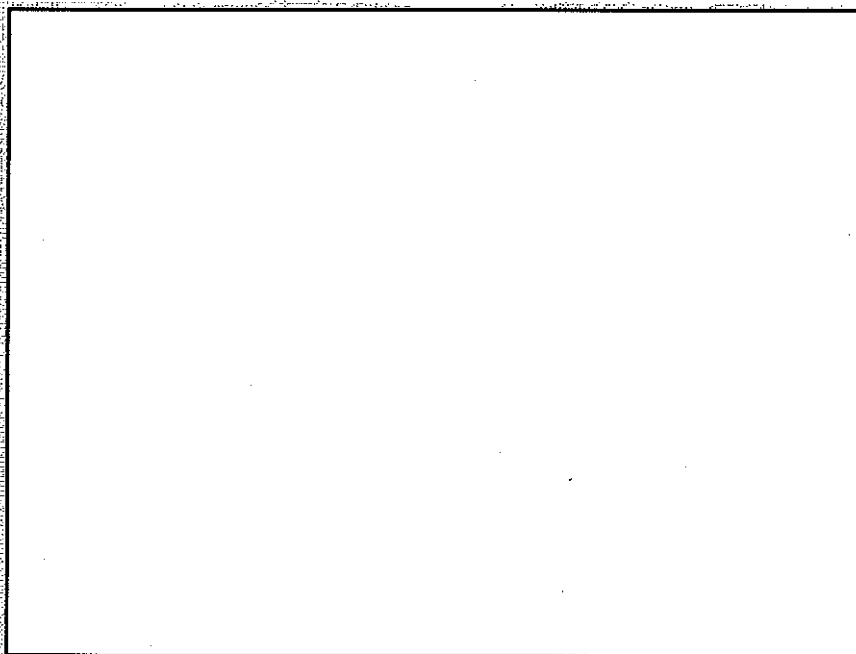
Investigative

Method:

Description:

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Status: Approved

Attachments:

History:

08/20/2012 02:17 PM Created Note

10/01/2012 05:06 PM Submit note for approval

10/01/2012 05:18 PM Approve note

(U) Interview of Wiley Gill

Investigative Method: Interview or request information from members of the public and private entities.

Description: On approximately September 12, 2012, TFOs [redacted] and [redacted] attempted to interview WILEY GILL at his residence 1316 Nord Avenue, Chico, CA. This residence is co-located with and owned by the Chico Islamic Center. TFOs [redacted] and [redacted] were informed that GILL no longer lives at the residence.

On October 1, 2012, TFO [redacted] contacted GILL via his cell phone; [redacted] in an attempt to set up an interview with him. GILL did not answer his phone and TFO [redacted] did not leave a message. Approximately an hour later, GILL called [redacted] phone back. TFO [redacted] informed GILL of his identity and the nature of his telephone call. GILL seemed suspicious at first but then provided the following information:

GILL allowed law enforcement officers to come into his house at 1316 Nord Avenue a few months ago when he was told that they were searching the area for a fleeing suspect. This is the only time that GILL knows that law enforcement officers have been in his residence.

GILL was informed that one of the officers in his house saw something on his computer screen titled "Games that Fly Under the Radar." GILL acknowledged that this is probably what the officer saw. GILL stated that this is a YouTube video that highlights the top ten best and worst games people play.

GILL asked why the officers didn't question him then, when they believed that something appeared suspicious? TFO [redacted] agreed that this was a logical question to which he did not know the answer.

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GILL was cooperative throughout the telephonic interview with TFC [REDACTED]
 Status: Approved

Attachments:

History:

10/01/2012 03:28 PM Created Note: Attempted interview of Wiley Gill

10/01/2012 05:08 PM Submit note for approval

10/01/2012 05:19 PM Approve note

(U//FOUO) [REDACTED] Report

Investigative

Method:

Description: A review of [REDACTED] report for WILEY GILL reveals the following identifiers:

Name: WILEY WAYNE GILL

DOB: [REDACTED]

SSN: [REDACTED]

Cell Phone: [REDACTED]

Residential Phone: [REDACTED] (registered in Stoneyford, CA)

Address: [REDACTED]

Former Addresses: [REDACTED]

Status: Approved

Attachments:

History:

10/01/2012 05:04 PM Created Note: [REDACTED] Report

10/01/2012 05:19 PM Approve note

(S)

(U) ~~(S//OC/N)~~ [REDACTED] Baseline Checks

Investigative Access/examine FBI/DOJ records, and obtain information from FBI/DOJ personnel.

Method:

Description: 8. Subject's current place of employment and position. When available, identifying information has been obtained, it should be used to conduct the checks necessary to answer the following questions: [REDACTED]

1a [REDACTED]

2a [REDACTED]

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~~SECRET//ORCON/NOFORN~~

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[REDACTED]

[REDACTED]

[REDACTED] NCIC query reveals that GILL was an applicant for the California State University, Chico Police Department on 12/09/2011.

(S)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] According to TFC [REDACTED] GILL is a night-shift custodian at the California State University, Chico.

[REDACTED]

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Status: Approved

Attachments:

History:

10/01/2012 05:10 PM Created Note: Baseline Checks

10/02/2012 12:14 PM Submit note for approval

10/03/2012 12:19 PM Approve note

Disposition

(U//FOUO) Disposition

Note:

Wayne GILL. It should be noted that in the past when GILL was interviewed he was uncooperative and claimed that he was being spied on by the NSA and other governmental agencies. A second interview was conducted with GILL. GILL was overall cooperative with law enforcement. GILL explained that the suspicious video that law enforcement saw on his computer screen in May 2012 was about computer gaming, which has been corroborated via

Disposition:

Workflow

08/08/2012 04:48 PM Imported Incident from

Assigned By

08/09/2012 01:21 PM Incident assigned

Assigned To

Assigned By

08/09/2012 03:33 PM Incident opened

Assigned To

Assigned By

Assigned To

09/06/2012 03:02 PM

Assigned By

Assigned To

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~~SECRET//ORCON/NOFORN~~ [redacted]

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10/02/2012 12:15 PM	Incident submitted for closure	Assigned By:	[redacted]
		Assigned To:	
10/03/2012 12:20 PM	Incident closed	Assigned By:	
		Assigned To:	

SENTINEL Uploads

08/09/2012 03:35 PM SENTINEL Case File: [redacted]

~~SECRET~~

EXHIBIT 3



U.S. Department of Justice

Federal Bureau of Investigation
 Washington, D.C. 20535

February 29, 2016

MR. YAMAN SALAHI
 STAFF ATTORNEY
 ADVANCING JUSTICE - ASIAN LAW CAUCUS
 55 COLUMBUS AVENUE
 SAN FRANCISCO, CA 94111

FOIPA Request No.: 1242637-000
 Appeal No.: AP-2014-04336
 Subject: GILL, WILEY WAYNE

Dear Mr. Salahi:

As a result of your administrative appeal to the Office of Information Policy (OIP), Department of Justice (DOJ), material was located responsive to your request for information concerning Wiley Wayne Gill. Enclosed is a processed copy of the responsive information the FBI has on file. The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

Section 552☒ (b)(1)☐ (b)(2)☒ (b)(3)

50 U.S.C. 3024(i)(1)

☐ (b)(4)☐ (b)(5)☒ (b)(6)☐ (b)(7)(A)☐ (b)(7)(B)☒ (b)(7)(C)☐ (b)(7)(D)☒ (b)(7)(E)☐ (b)(7)(F)☐ (b)(8)☐ (b)(9)**Section 552a**☐ (d)(5)☒ (j)(2)☐ (k)(1)☐ (k)(2)☐ (k)(3)☐ (k)(4)☐ (k)(5)☐ (k)(6)☐ (k)(7)

16 pages were reviewed and 16 pages are being released.

☐ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].

☐ This information has been referred to the OGA(s) for review and direct response to you.

☐ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

☒ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

In response to your administrative appeal to OIP, enclosed is a processed copy of the FBI file information you appealed.

The enclosed documents responsive to your request are exempt from disclosure in their entirety pursuant to the Privacy Act, Title 5, United States Code, Section 552(a), subsection (j)(2). However, these records have been processed pursuant to the Freedom of Information Act, Title 5, United States Code, Section 552, thereby affording you the greatest degree of access authorized by both laws.

The enclosed documents contained represent the final release of information responsive to your administrative appeal from the FBI.

This material is being provided to you at no charge.

EXPLANATION OF EXEMPTIONS**SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FD-1036 (Rev. 10-16-2009)

~~SECRET//NOFORN~~



FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: FD-71A

Date: 08/09/2012

Title: U Suspicious behavior by identified male subject accessing flight simulator game in Chico

Approved By: [REDACTED]

(U) Drafted By: [REDACTED]

Case ID #: [REDACTED]

~~(S)~~ ZERO FILE -

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Synopsis: U On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. Before the screen was closed, the officer noted what appeared to be YouTube access on the screen titled something to the effect of "Games that fly under the radar." The officer suspected GILL was accessing a flight simulator type game.

~~Reason: 1.4(b), (c), (d)~~

~~Derived From: Multiple Sources~~

~~Declassify On: 20370809~~

♦♦

~~SECRET//NOFORN~~

Serial 49

~~SECRET//NOFORN~~

Generated: 08/09/2012 3:34 PM EDT

Incident Summary

197249_SC (U) Suspicious behavior by identified male subject accessing flight simulator game in Chico

(U) On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. Before the screen was closed, the officer noted what appeared to be YouTube access on the screen titled something to the effect of "Games that fly under the radar." The officer suspected GILL was accessing a flight simulator type game.

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Subjects

(U) Wiley Wayne GILL (Male, Approx. Age 26)

Eye Color: Brown
Hair Color: Brown
Height: 73 inches
Weight: 200 lbs.
Build: Medium
US Person: Yes
Public Figure: No
Complexion: Fair

Witnesses

(U) [REDACTED] Police Officer (Male)

Other Information: Chico Police Department Officer.
Witness Type: Law Enforcement
Protect Witness: No
Witness Available: Yes

(U) [REDACTED] Detective (Male)

Other Information: Chico Police Department TLO
Officer
Witness Type: Law Enforcement
Witness Available: Yes

Other Persons

Targets

Vehicles

Weapons

Locations

~~SECRET//NOFORN~~

(U) The Islamic Center of Chico

Other
 1316 Nord Avenue
 Chico , California 95927
 United States

Leads

Attachments

(U)

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Links

Notes

(U) GILL, Wiley

Description: Birth Date Range Begin: [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

b7E

(U) Incident Additional Details

Description: The CPD officer reported that he initially met GILL in 2011 when he made an official visit to The Islamic Center of Chico where GILL was a member. He said all of the members were welcoming and appreciative of a visit from law enforcement with the exception of GILL. Additionally, GILL is described as avoiding eye contact, hesitant to interact with the officer; and at one point appeared to be eavesdropping while the officer spoke with other members at the center. The officer reported that GILL did not have a job and resided at the Mosque.

The officer described GILL as being agitated during the recent encounter, possibly because GILL is a Muslim and the officer was wearing shoes inside his residence.

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

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(U) Witness [REDACTED] Police Officer additional information

Description: [REDACTED]

Credible: YES

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

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(U) Incident Additional Details

Description: [REDACTED] due to suspicious activity related to an identified male subject, Wiley Wayne GILL, DOB [REDACTED] who was reportedly accessing a flight simulator game on YouTube with the title ¿Games that fly under the radar¿, and where he was acting suspiciously and appeared to be avoiding interaction with law enforcement [REDACTED]

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Status: Approved

Attachments:

History:

~~SECRET//NOFORN~~

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

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(U) Witness [REDACTED] Detective additional information

Description:

Credible: YES

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Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

b7E

(U) Incident Additional Details

Description: On Jul 27, 2012, Central California Intelligence Center Analyst [REDACTED] conducted basic database queries on Wiley Wayne GILL, who was reportedly on a YouTube video site titled something to the effect of ¿Games that fly under the radar¿. GILL is suspected of accessing a flight simulator type game.

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A California DMV records check returned a match to a valid Class C non-commercial California driver¿s license, number [REDACTED] with an expiration date of February 21, 2015 and a mailing address of [REDACTED] in Chico. An address of [REDACTED] in Chico is listed as ¿Other¿ in the DMV record as of May 4, 2007. GILL is the registered owner of a 1973 Plymouth Valiant, 2-door hardtop, license number [REDACTED]. The Islamic Center of Chico at 1316 Nord Avenue in Chico is the listed address for the vehicle.

Query searches of NCIC, Automated Firearms System, Coplink [REDACTED] Sac Known Persons Finder, Parole Leads, Supervised Release File, Wanted Persons, Missing and Unidentified Persons, Sex and Arson Registration searches returned no information on GILL.

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A search of automated Criminal History Search returned no derogatory information. The subject has a CII number of [REDACTED] as an applicant for a public agency.

The TLO.com CLEAR public database records for GILL lists The Islamic Center of Chico at 1316 Nord Avenue in Chico as his last known address. There are two known phone numbers listed in GILL¿s name, which include a cell phone, [REDACTED] and a land-line phone, [REDACTED].

An open source query returned no matches to GILL on social media network accounts such as Facebook and MySpace; and no matches on search engines Yahoo, Google, and Bing.

A search of the ¿Games that fly under the radar¿ on YouTube returned no exact match to that title; however, many games with similar titles were easily accessible on YouTube.

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Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

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(U) Incident additional information

Description: Submitting Organization Details

ORI: CAFCU0100

Name: Sacramento CCIC

Email: [REDACTED]

Agency Name 1: Sacramento CCIC

City: Sacramento

State: CA

Country: US

Field Office: SC

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~~SECRET//NOFORN~~

Incident Author Information

ORI: CAFCU0100

Email [REDACTED]

Last Name [REDACTED]

First Name [REDACTED]

Police Report: None

Created Timestamp: 2012-08-02T16:46:32.166

Modified Timestamp: 2012-08-08T16:34:43.324

Status:

Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

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(U) Incident Additional Details

Description: On 8/2/2012, FBI IA [REDACTED] queries on the subject. [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED] [REDACTED]

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Investigative Access/examine FBI/DOJ records, and obtain information from FBI/DOJ personnel.

Method:

Description: (U) IA [REDACTED] FBI, conducted [REDACTED]

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(U)

~~(S//NF)~~

(U) See handling agent SA [REDACTED] for more information

(U)

No additional information was found

Status:

Completed

Attachments:

History:

08/09/2012 01:19 PM [REDACTED] [REDACTED]

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b7E

Disposition

Workflow

08/08/2012 04:48 PM Imported Incident from [REDACTED]

Assigned By [REDACTED]

08/09/2012 01:21 PM Incident assigned

Assigned To [REDACTED]

Assigned By [REDACTED]

Assigned To [REDACTED]

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08/09/2012 03:33 PM Incident opened

Assigned By:

Assigned To:

A large rectangular box with a black border, used to redact information from the document. It is positioned to the right of the 'Assigned By:' and 'Assigned To:' labels.

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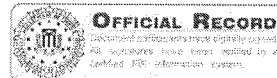
SENTINEL Uploads

CLASSIFIED BY NSICG/J75J65T61
 DECLASSIFY ON: 02-25-2039
 DATE: 02-25-2014

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

FD-1036 (Rev. 10-16-2009)

~~SECRET//ORCON/NOFOR~~



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FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: FD-71A

Date: 10/03/2012

Title: U Suspicious behavior by identified male subject accessing flight simulator game in Chico

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: [Redacted]

~~(S)~~ ZERO FILE -

Synopsis: U On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [Redacted] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. Before the screen was closed, the officer noted what appeared to be YouTube access on the screen titled something to the effect of "Games that fly under the radar." The officer suspected GILL was accessing a flight simulator type game.

~~Reason: 1.4(b), (c), (d)
 Derived From: Multiple
 Sources
 Declassify On: 20370809~~

♦♦

~~(S)~~

~~SECRET//ORCON/NOFOR~~

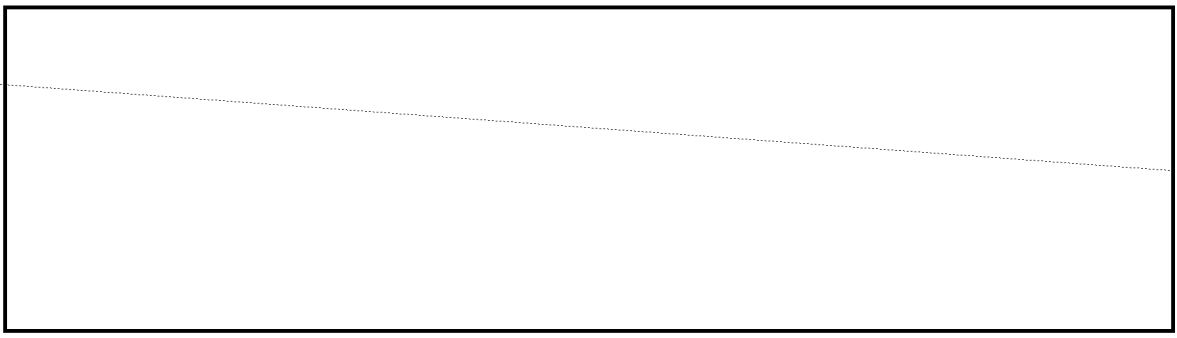
Serial 18

~~SECRET//ORCON/NOFOR~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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Generated: 10/03/2012 12:20 PM EDT

Incident Summary

197249_SC (U) Suspicious behavior by identified male subject accessing flight simulator game in Chico



(U) On 5/20/2012, a Chico Police Department (CPD) officer made contact with Wiley Wayne GILL, DOB [REDACTED] while conducting a residence search for a fleeing suspect. While in the residence, the officer turned toward a computer and observed the subject hastily attempting to close down the screen in a possible attempt to hide what he was doing on the computer from the officer. Before the screen was closed, the officer noted what appeared to be YouTube access on the screen titled something to the effect of "Games that fly under the radar." The officer suspected GILL was accessing a flight simulator type game.



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Subjects

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Eye Color: Brown
Hair Color: Brown
Height: 73 inches
Weight: 200 lbs.
Build: Medium
US Person: Yes
Public Figure: No
Complexion: Fair

Witnesses

(U) [REDACTED] Police Officer (Male)

Other Information: Chico Police Department Officer.
Witness Type: Law Enforcement
Protect Witness: No
Witness Available: Yes

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(U) [REDACTED] Detective (Male)

Other Information: Chico Police Department TLO
Officer
Witness Type: Law Enforcement
Witness Available: Yes

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Other Persons

~~SECRET~~

~~SECRET//ORCON/NOFORN~~b1
b3

Targets

Vehicles

Weapons

Locations

(U) The Islamic Center of Chico
 Other
 1316 Nord Avenue
 Chico , California 95927
 United States

Leads

Attachments

(U)

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Links

Notes

(U) GILL, Wiley

Description: Birth Date Range Begin: [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [REDACTED]

b7E

(U) Incident Additional Details

Description: The CPD officer reported that he initially met GILL in 2011 when he made an official visit to The Islamic Center of Chico where GILL was a member. He said all of the members were welcoming and appreciative of a visit from law enforcement with the exception of GILL. Additionally, GILL is described as avoiding eye contact, hesitant to interact with the officer; and at one point appeared to be eavesdropping while the officer spoke with other members at the center. The officer reported that GILL did not have a job and resided at the Mosque.

The officer described GILL as being agitated during the recent encounter, possibly because GILL is a Muslim and the officer was wearing shoes inside his residence.

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [REDACTED]

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(U) Witness [REDACTED] Police Officer additional information

Description:

Credible: YES

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [REDACTED]

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(U) Incident Additional Details

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~~SECRET//ORCON/NOFORN~~b1
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Description: [redacted] due to suspicious activity related to an identified male subject, Wiley Wayne GILL, DOB [redacted] who was reportedly accessing a flight simulator game on YouTube with the title "Games that fly under the radar", and where he was acting suspiciously and appeared to be avoiding interaction with law enforcement. [redacted]

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Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [redacted]

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(U) Witness [redacted] Detective additional information

Description: [redacted]

Credible: YES

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Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [redacted]

b7E

(U) Incident Additional Details

Description: On Jul 27, 2012, Central California Intelligence Center Analyst [redacted] conducted basic database queries on Wiley Wayne GILL, who was reportedly on a YouTube video site titled something to the effect of "Games that fly under the radar." GILL is suspected of accessing a flight simulator type game.

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b7C

A California DMV records check returned a match to a valid Class C non-commercial California driver's license, number [redacted] with an expiration date of February 21, 2015 and a mailing address of [redacted] in Chico. An address of [redacted] in Chico is listed as "Other" in the DMV record as of May 4, 2007. GILL is the registered owner of a 1973 Plymouth Valiant, 2-door hardtop, license number [redacted]. The Islamic Center of Chico at 1316 Nord Avenue in Chico is the listed address for the vehicle.

Query searches of NCIC, Automated Firearms System, Coplink, [redacted] Sac Known Persons Finder, Parole Leads, Supervised Release File, Wanted Persons, Missing and Unidentified Persons, Sex and Arson Registration searches returned no information on GILL.

b7E

A search of automated Criminal History Search returned no derogatory information. The subject has a CII number of [redacted] as an applicant for a public agency.

The TLO.com CLEAR public database records for GILL lists The Islamic Center of Chico at 1316 Nord Avenue in Chico as his last known address. There are two known phone numbers listed in GILL's name, which include a cell phone, [redacted] and a land-line phone, [redacted].

An open source query returned no matches to GILL on social media network accounts such as Facebook and MySpace; and no matches on search engines Yahoo, Google, and Bing.

A search of the "Games that fly under the radar" on YouTube returned no exact match to that title; however, many games with similar titles were easily accessible on YouTube.

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Status: Approved

Attachments:

History:

08/08/2012 04:48 PM

Imported note from [redacted]

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(U) Incident additional information

Description: Submitting Organization Details

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~~SECRET//ORCON/NOFORN~~b1
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ORI: CAF00100
 Name: Sacramento CCIC
 Email: [REDACTED]
 Agency Name 1: Sacramento CCIC
 City: Sacramento
 State: CA
 Country: US
 Field Office: SC

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Incident Author Information
 ORI: CAF00100
 Email: [REDACTED]
 Last Name: [REDACTED]
 First Name: [REDACTED]

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Police Report: None
 Created Timestamp: 2012-08-02T16:46:32.166
 Modified Timestamp: 2012-08-08T16:34:43.324
 Approved

Status:

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

b7E

(U) Incident Additional Details

Description: On 8/2/2012, FBI IA [REDACTED] queries on the subject. [REDACTED]

Status: Approved

Attachments:

History:

08/08/2012 04:48 PM Imported note from [REDACTED]

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~~(S//NF)~~ Classified database checks

Investigative Method: Access/examine FBI/DOJ records, and obtain information from FBI/DOJ personnel.

Description: (U) IA [REDACTED] FBI, conducted [REDACTED]

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(U)

(U)

No additional information was found
 Completed

Status:

Attachments:

History:

08/09/2012 01:19 PM [REDACTED]

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(U)

Investigative Method:

Description:

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Status: Approved

Attachments:

History:

08/20/2012 02:17 PM Created Note [redacted]
 10/01/2012 05:06 PM Submit note for approval
 10/01/2012 05:18 PM Approve note

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b7E**(U) Interview of Wiley Gill**

Investigative Method: Interview or request information from members of the public and private entities.

Description: On approximately September 12, 2012, TFO's [redacted] and [redacted] attempted to interview WILEY GILL at his residence 1316 Nord Avenue, Chico, CA. This residence is co-located with and owned by the Chico Islamic Center. TFO's [redacted] and [redacted] were informed that GILL no longer lives at the residence.

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On October 1, 2012, TFO [redacted] contacted GILL via his cell phone, [redacted] in an attempt to set up an interview with him. GILL did not answer his phone and TFO [redacted] did not leave a message. Approximately an hour later, GILL called [redacted] phone back. TFO [redacted] informed GILL of his identity and the nature of his telephone call. GILL seemed suspicious at first but then provided the following information:

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GILL allowed law enforcement officers to come into his house at 1316 Nord Avenue a few months ago when he was told that they were searching the area for a fleeing suspect. This is the only time that GILL knows that law enforcement officers have been in his residence.

GILL was informed that one of the officers in his house saw something on his computer screen titled "Games that Fly Under the Radar." GILL acknowledged that this is probably what the officer saw. GILL stated that this is a YouTube video that highlights the top ten best and worst games people play.

GILL asked why the officers didn't question him then, when they believed that something appeared suspicious? TFO [redacted] agreed that this was a logical question to which he did not know the answer.

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GILL was cooperative throughout the telephonic interview with TFO [redacted]
Status: Approved

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Attachments:

History:

10/01/2012 03:28 PM Created Note: Attempted Interview of Wiley Gill [redacted]
10/01/2012 05:06 PM Submit note for approval
10/01/2012 05:19 PM Approve note

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(U//FOUO) [redacted] Report

Investigative

Method:

Description: A review of [redacted] report for WILEY GILL reveals the following identifiers:

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Name: WILEY WAYNE GILL

DON: [redacted]

SSN: [redacted]

Cell Phone: [redacted]

Residential Phone: [redacted] (registered in Stoneyford, CA)

Address: [redacted] Chico, CA

Former Addresses: [redacted]

Status: Approved

Attachments:

History:

10/01/2012 05:04 PM Created Note [redacted] Report
10/01/2012 05:19 PM Approve note

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(U) ~~(S//OC/N)~~ [redacted] Baseline Checks

Investigative Access/examine FBI/DOJ records, and obtain information from FBI/DOJ personnel.

Method:

Description: 8. Subject's current place of employment and position. When available identifying information has been obtained, it should be used to conduct the checks necessary to answer the following questions. [redacted]

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1a. [redacted]

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2a. [redacted]

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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[REDACTED]
[REDACTED]
[REDACTED] NCIC query reveals that GILL was an applicant for the California State University, Chico Police Department on 12/09/2011.

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED] According to TFO [REDACTED] GILL is a night-shift custodian at the California State University, Chico.

[REDACTED]

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Status: Approved

Attachments:

History:

10/01/2012 05:10 PM Created Note: Baseline Checks

10/02/2012 12:14 PM Submit note for approval

10/03/2012 12:19 PM Approve note

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Disposition

(U//FOUO) Disposition

Note:

Wayne GILL. It should be noted that in the past when GILL was interviewed he was uncooperative and claimed that he was being spied on by the NSA and other governmental agencies. A second interview was conducted with GILL. GILL was overall cooperative with law enforcement. GILL explained that the suspicious video that law enforcement saw on his computer screen in May 2012 was about computer gaming, which has been corroborated via

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Disposition:

b7E

Workflow

08/08/2012 04:48 PM Imported Incident from

Assigned By

08/09/2012 01:21 PM Incident assigned

Assigned To
Assigned By

08/09/2012 03:33 PM Incident opened

Assigned To
Assigned By

09/06/2012 03:02 PM

Assigned To
Assigned By
Assigned Tob6
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(S)

~~SECRET//ORCON/NOFORN~~ [Redacted]

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10/02/2012 12:15 PM	Incident submitted for closure	Assigned By:	[Redacted]
		Assigned To:	
10/03/2012 12:20 PM	Incident closed	Assigned By:	
		Assigned To:	

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SENTINEL Uploads

08/09/2012 03:35 PM SENTINEL Case File: [Redacted]

b7E