

**DELANO POLICE DEPARTMENT**

Page 1

**2330 HIGH ST DELANO, CA 93215 661-721-3377  
FELONY REPORT**Case  
23-01152**OFFENSES**

<b>F/M A/C</b> M C	<b>Offenses</b> 422.6(A) PC Violate civil rights by force or threat of force - Intimidation				<b>Date Occurred</b> 04/12/2023		<b>Time Occurred</b>		<b>Incident #</b>		
					<b>Date Reported</b> 04/12/2023		<b>Time Reported</b> 0839				
					<b>Related Cases</b>						
					<b>Date Printed</b> 01/17/2024		<b>Time Printed</b> 10:59:54		<b>Printed By</b> 10102		
					<b>Latitude</b> 35.789010		<b>Longitude</b> -119.251420				
<b>Location</b> Delano Police Department, 2330 High St, Delano, CA 93215					<b>Beat</b>	<b>Area</b>	<b>Disposition</b>			<b>Dispo Date</b>	
<b>Location Type</b>		<b>Location of Entry</b>		<b>Method of Entry</b>		<b>Point of Entry</b>		<b>Alarm System</b>		<b>Means of Attack (Robbery)</b>	

<b>Victim</b> 23-01152, V1				<b>Drivers License</b>		<b>Cell Phone</b>		<b>Email</b>			
<b>Residence Address</b>				<b>Notified of Victim Rights</b> No		<b>Residence Phone</b>		<b>DOB</b>	<b>Age</b>	<b>Sex</b>	<b>Race</b> X
<b>Business Name and Address</b>						<b>Business Phone</b>		<b>Height</b>	<b>Wt</b>	<b>Hair</b>	<b>Eyes</b>
<b>Assistance Rendered/Victim Disposition</b>						<b>Transporting Agency</b>		<b>Means of Attack (Assaults)</b>			
<b>Description of Injuries</b>						<b>Other Information</b>					

<b>Name</b>				<b>Drivers License</b>		<b>Cell Phone</b>		<b>Email</b>			
<b>Residence Address</b>						<b>Residence Phone</b>		<b>DOB</b>	<b>Age</b>	<b>Sex</b>	<b>Race</b>
<b>Business Name and Address</b>						<b>Business Phone</b>		<b>Height</b>	<b>Wt</b>	<b>Hair</b>	<b>Eyes</b>

<b>Suspect</b> Silva, Rafael						<b>Action Taken</b>		<b>Charges</b> 422.6(A) PC			
<b>Residence Address</b> [REDACTED]						<b>Residence Phone</b> [REDACTED]		<b>DOB</b> [REDACTED]	<b>Age</b> [REDACTED]	<b>Sex</b> M	<b>Race</b> H
<b>Business Name and Address</b>						<b>Business Phone</b>		<b>Height</b>	<b>Wt</b>	<b>Hair</b>	<b>Eyes</b>
<b>Identifying Features</b>						<b>Cell Phone</b>		<b>Drivers License</b>		<b>Arrest Number</b>	
<b>Aliases</b>										<b>CII</b>	

**VEHICLES**

<b>Status</b>		<b>Vehicle Make and Model</b>		<b>License/State</b>		<b>VIN</b>		<b>Val Damgd</b>	
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**OFFICERS**

<b>Prepared By</b> 10150 - Monteiro, Brian		<b>Date</b> 04/12/2023	<b>Assisted By</b>		<b>Approved By</b> 1089 - Ortiz, Julian		<b>Date</b> 08/24/2023	
<b>Routed To</b>		<b>Date</b>		<b>Routed To</b>		<b>Date</b>		<b>Notes</b>

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**DELANO POLICE DEPARTMENT**

Page 2

**2330 HIGH ST DELANO, CA 93215 661-721-3377****FELONY REPORT - PROPERTY**

23-01152

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	LHS-01 - 1 Sil Apple Macbook Air Laptop - APPLE MACBOOK AIR SEIZED FROM LIVING ROOM			
2	Evidence	LHS-02 - 1 2 Tb Blk Seagate Backup Plus Slim Portable Hard Dr - PORTABLE HARD DRIVE SEIZED FROM LIVING ROOM			
3	Evidence	LHS-03 - 5 Mail - 5 PIECES OF MAIL			
4	Evidence	LHS-04 - 2 Whi & Yel Paper - NAPKIN AND YELLOW STICKY			
5	Evidence	LHS-05 - 2 Grn & Blk Sandisk&verbatim Flashdrive - BLACK SANDISK AND GREEN FLASHDRIVE			
6	Safekeeping	LHS-06 - 205 Win, Fed, Eagle Ammunition - 2 WINCHESTER BOXES OF 25 12GAUGE AMMO (50), 2 BOXES OF FEDERAL 12 GAUGE AMMO W/25 IN 1 & 17 IN THE OTHER (42), 2 BOXES OF WINCHESTER 12 GAUGE AMMO W/ 5 IN 1 BX AND 3 IN OTHER BOX (8). 2 BOXES OF 50 FEDERAL S&W 40 CAL(100). 1 BOX OF FEDERAL PREMIUM 12 GA WITH 5 SHOTSHELLS (5)			
7	Evidence	LHS-07 - 3 Identification - 1 WORK ID, 1 CA ID & FIREARM CERT ID			
8	Evidence	LHS-08 - 1 Apple Iphone Iphone Box - IPHONE 12 BOX			
9	Evidence	LHS-09 - 1 Blk Ivy Funds Flash Drive - IVY FUNDS FLASH DRIVE			
10	Evidence	LHS-10 - 1 Mail - HOME MORTGAGE MAIL			
11	Evidence	LHS-11 - 1 Phs - PERSONAL HISTORY STATEMENT			
12	Safekeeping	LHS-12 - 1 Blk Glock Glock 19 Firearm - PISTOL (BMST095)			
13	Safekeeping	LHS-13 - 3 Blk Glock/Pmag Magazine - 2 GLOCK 9MM MAGAZINES AND 1 PMAG 10 GL 9 MAGAZINE			
14	Safekeeping	LHS-14 - 1 Blk Glock Firearm Box - GLOCK GUN BOX			
15	Safekeeping	LHS-15 - 69 Gld Norma/Hornady Ammunition - 44 NORMA 9MM AMMUNITION & 25 HORNADY 9MM AMMUNITION			
16	Safekeeping	LHS-16 - 1 Holster - BLACK HOLSTER			
17	Evidence	LHS-17 - 1 Blk & Bro Apple Iphone Iphone - IPHONE BLACK AND BROWN CASE			
18	Evidence	LHS-18 - 1 Search Warrant - RESIDENCE SEARCH WARRANT AND PROPERTY RECEIPTS			

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**DELANO POLICE DEPARTMENT****2330 HIGH ST DELANO, CA 93215 661-721-3377****FELONY REPORT - PROPERTY**

Page 3

23-01152

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
19	Evidence	LHS-19 - 1 Verbatim Dvd-R Disc - SEARCH WARRANT PHOTOGRAPHS			
20	Evidence	LHS-20 - 1 Verbatim Dvd-R Disc - 5 VIDEOS AND 2 SCREENSHOTS			
21	Evidence	BAM-1 - 1 Search Warrant - SEARCH WARRANT CELLPHONE EXTRACTION AND RETURN			
22	Evidence	BAM-2 - 1 Search Warrant - SEARCH WARRANT AND RETURN FOR TIKTOK			
23	Evidence	BAM-3 - 1 Dvd-R Warrant Return - SEARCH WARRANT RETURN ON RESIDENCE, CAR, PERSON			
24	Seized	LHS-21 - 1 Blk & Bro Apple Iphone Iphone 13PRO Max - INCASED IN BLACK AND WOOD GRAIN BROWN TENDLIN CASE.			
25	Evidence	BAM-4 - 1 Search Warrant - TIKTOK SEARCH WARRANT			
26	Evidence	BAM-5 - 1 Phone Records - IP ADDRESS INFORMATION/ EMAIL HISTORY			
27	Evidence	BAM-6 - 1 Tiktok - TIKTOK USER INFORMATION FOR DUTCHESS			

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**DELANO POLICE DEPARTMENT**

2330 HIGH ST DELANO, CA 93215 661-721-3377

**NARRATIVE - Preliminary Investigation**Page 1  
23-01152**INTRODUCTION:**

On Thursday, April 6, 2023, the Delano Police Department was contacted by the Federal Bureau of Investigations (FBI) regarding a report of cyberterrorism with threats of mass violence towards individuals with an "AR15".

**SYNOPSIS:**

On April 4th, 2023, a subject with the Tiktok screen name of @Philbaker33 made several different threats of violence on the internet application Tiktok. The following are several of the comments along with the dates posted:

"Oh my dutches, it's funny you think you have any form of power. The only power you'll see is the one from a barrel and a 9mm" (04/04/2023)

"I've lifted my AR, high than your rights" (04/05/2023)

"But my AR will track y'all down like it did Aubrey from Tennessee" (04/05/2023)

"Send the addy. I'll pull up rn." (04/05/2023)

"Send me the addy. I'll pull up on you." (04/05/2023)

Based on the above mentioned comments, it is presumed the comments were made towards the transgender community.

On April 5, 2023, at 2338 hours, a subject by the name of "[REDACTED]" submitted an online tip to the FBI National Threat Operations Center via tips.fbi.gov regarding the threats of violence regarding the AR-15 mentioned on Tiktok.

**INVESTIGATION**

On April 11, 2023, Detective Santos and I were contacted by Delano Police Department Chief Davis regarding this report.

I began my investigation by reviewing what the FBI had already done prior to the case being forwarded to the Delano Police Department. The following is a brief description of the FBI investigation. Refer to FBI report for specific details.

On April 6, 2023, FBI submitted an Emergency Disclosure Request to Tiktok Inc. For the screen name of philbaker33. Tiktok provided the following subscriber information:

email: [REDACTED]

Signup IP: [REDACTED]

Most recent IP address as of 4/6/23: [REDACTED]

An Accurant search of [REDACTED] had a possible subscriber of Rafael Silva with the date of birth of 05/03/1996 with a probable address as of March 2023 of [REDACTED]. There was also an additional possible subscriber of [REDACTED] who may be a relative of Rafael Silva.

A search of the IP address [REDACTED] resulted to belonging to AT&T internet and came back to

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10150 MONTEIRO, BRIAN

Date:

04/18/2023

Approved By:

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Date:

08/24/2023

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**DELANO POLICE DEPARTMENT**Page 2  
23-01152

2330 HIGH ST DELANO, CA 93215 661-721-3377

**NARRATIVE - Preliminary Investigation**

1 Delano, CA 93215.

2 At this time, Special Agent Caleb Lyman contacted Delano Police Department Detective Santaella  
3 who is also a Task Force Officer (TFO) with the FBI Bakersfield Resident Agency. Once Santaella was  
4 made aware of the name Rafael Silva and date of birth of [REDACTED] it was determined Silva was a  
5 sworn Police Officer with the Delano Police Department.

6 On April 6, 2023, SA Lyman was contacted by Tiktok Law Enforcement Response Team (LERT) and  
7 made aware the most recent video posted by philbaker33 was on 10/8/2022. Based on the  
8 emergency preservation return provided to SA Lyman, the last 48 hours contained comments that had  
9 mentions of an "AR" and the user saying "send me your addy." Tiktok LERT understood addy to mean  
10 address. LERT said they would provide comments posted by philbaker33 and the date of the  
11 comments.

12 SA Lyman completed and submitted an emergency preservation request for Tiktok account  
13 philbaker33. Lyman was provided with the comments made by philbaker33 within the last 48 hours:

14 "Send me the addy. I'll pull up on you."

15 "Send the addy. I'll pull up rn."

16 "But my AR will track y'all down like it did Aubrey from Tennessee"

17 "I've lifted my AR, high than your rights"

18 "Oh my dutches, it's funny you think you have any form of power. The only  
19 power youll see is the one from a barrel and a 9mm."

20  
21 Based on my training and experience, I know when someone stated the slang word "addy" they are  
22 referring to the word address.

23  
24 I also know the phrase "but my AR will track y'all down like it did Aubrey from Tennessee" is referring  
25 to a Christian School shooting that occurred in Nashville Tennessee. This shooting was committed by  
26 a transgender man and former student of the school named Audrey. Audrey ultimately killed three  
27 nine year old children and three adults before being shot and killed by two Metropolitan Nashville  
28 Police Department Officers armed with assault rifles.

29  
30 SA Lyman submitted Emergency Disclosure request to AT&T Global Legal Demand Center for  
31 subscriber information on IP logs and billing records for the users of IP addresses [REDACTED]  
32 and [REDACTED].  
33

34 The following comment was made on a video made on Tiktok by the screen name of "zogrimwood."  
35 On this account, a black female posts a video and is speaking. On the video, there is a small box near  
36 the top of the screen which was a reply to a comment made by "philbaker 33." The comment said:

37  
38 "Don't worry bro. You're next We gonna find you. You aint safe. We gonna change you pronouns soon  
39 was/ were."

40  
41 In a portion of the video, the black female states "...you wanna sit here and threaten her, a black trans  
42 women because she wants to stand up for our rights." The following hashtags are also part of the

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08/24/2023

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2330 HIGH ST DELANO, CA 93215 661-721-3377

**NARRATIVE - Preliminary Investigation**Page 3  
23-01152

video: #notbullying #trasnphobia #trans #theresistence #fightback #transrights #blm #translivesmatter  
#notharrassment #nonbinary #genderfluid #transman#transwomen #liberationnow #resistance #black  
#soulaa #reply #cisgender #transgender #ftm #mtf #enby #bigender.

Based on the above mentioned by "zogrimwood" there is a clear understanding that "philbaker33"  
was making comments against the transgender community. The transgender community is  
considered a protected community from threats of violence.

On April 6, 2023, AT&T responded to the Emergency Disclosure request and provided the following  
information:

IP: [REDACTED]  
Billing Part Account name: Rafael Silva

Billing address: [REDACTED]  
Service Account name: Rafael Silva

Service address: [REDACTED]  
Contact phone: [REDACTED]

Contact email: [REDACTED]  
Usage start date: 12/22/2022

Usage End Date: Present

IP: [REDACTED]  
Billing Party Account Name: Rafael Silva

Billing Address: [REDACTED]  
Service Account name: Rafael Silva

Service Address: [REDACTED]  
Contact email: [REDACTED]

Usage start date: 8/14/2022  
Usage End Date: Present

**END OF FBI INVOLVEMENT.**

After reviewing the above listed information, I conducted a search for Rafael Silva DOB: [REDACTED]  
through the Delano Police Department RMS system and located a match to Delano Police Officer  
Rafael Silva (P10190) with the listed address of 2330 High Street Delano, CA 93215. I then  
conducted a RMS search solely based on the date of birth [REDACTED], I found an additional entry for  
"Rafa" Silva with the same date of birth and an address of [REDACTED].

Based on the information obtained from the AT&T Emergency Disclosure Request (EDR) SA Lyman  
submitted, I believe "Rafa Silva" with the address of [REDACTED] Rafael Silva  
with the address of [REDACTED] and Rafael Silva with the address [REDACTED]  
[REDACTED] is the same person.

Based on this information, I also contacted Detective Santaella who is a board member for the Delano  
Police Officer's Association. I asked Santaella if he had a new member contract for Silva. Santaella

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04/18/2023

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**DELANO POLICE DEPARTMENT**Page 4  
23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**NARRATIVE - Preliminary Investigation**

1 provided me with this contract. On this contract, Silva provided his personal cellphone number of [REDACTED]  
2 [REDACTED] email address: [REDACTED] and a home address of [REDACTED]  
3 [REDACTED]

4 **END OF SUPPLEMENTAL.**

5

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**Date:**

04/18/2023

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**Date:**

08/24/2023

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**DELANO POLICE DEPARTMENT**Page 1  
23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 1 - Search warrant for house, car and person****SUPPLEMENTAL**

On April 12, 2023, I authored a search warrant for Silva's residence, vehicle and person. The warrant was granted by Honorable W. Avila of Kern County Superior Court at approximately 1640 hours.

On April 13, 2023, Silva was called to the Delano Police Department at approximately 0805 hours. Silva arrived to the Department at approximately 0820 hours. Silva was escorted into the Investigations Division where Silva was served with the search warrant. During this time, Detective Santaella took possession of Silva's cellphone. Silva also provided Santaella with a key for the front door to the residence.

Santaella drove to [REDACTED] and provided Detective Santos and I with the key.

The search warrant was executed on April 13, 2023 at approximately 0849 hours.

During the search warrant the following items were seized:

Laptop - living room table

Portable hard drive - entertainment center

5 mail documents - kitchen

1 napkin with writing on it - kitchen drawer

1 yellow sticky note with writing on it - kitchen drawer

2 hard drives/ thumbdrives - southwest bedroom

ammunition -

12 gauge Winchester shotgun shells

12 gauge Federal shotgun shells

2 Winchester buckshot 1 box with 5 shells one box with 3

1 box of Federal buckshot 5 shells

2 boxes of American Eagle 40 cal. (100 rounds)

1 CA Divers license - master bedroom

1 Delano Police Department Community Service Officer ID - master bedroom

1 firearm certification ID - master bedroom

1 empty Iphone 12 box - master bedroom

1 flash drive - master bedroom

1 Home mortgage paper with [REDACTED] address - master bedroom

1 Personal History Statement for Silva

**Prepared By:**

10150 MONTEIRO, BRIAN

**Date:**

04/19/2023

**Approved By:**

1089 ORTIZ, JULIAN

**Date:**

08/06/2023

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**DELANO POLICE DEPARTMENT**Page 2  
23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 1 - Search warrant for house, car and person**

1 1 Glock 19 (SER - BMS1095) - master bedroom safe

2 3 firearm magazines - master bedroom safe

3 1 gun box - master bedroom closet

4 1 holster - master bedroom safe

5 44 9mm norma ammunition- master bedroom safe

6 25 9mm Hormady ammunition - master bedroom safe

7 405 photographs were taken

8 Once the search at the residence was completed, we secured the residence and returned to the  
9 Delano Police Department. Once at the Delano Police Department, we located the Honda Civic ( [REDACTED]  
10 [REDACTED] Silva was driving. Santos obtained the key to the vehicle and the Honda was  
11 searched. No items were located of evidentiary value.

12 All property was booked into Delano Police Evidence. A property receipt was provided to Silva.

13 I created a search warrant sketch and attached it to this case.

14 I submitted a search warrant return back to Honorable W. Avila.

15 **END OF SUPPLEMENTAL.**

16

17

18

19

**Prepared By:**

10150 MONTEIRO, BRIAN

**Date:**

04/19/2023

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1089 ORTIZ, JULIAN

**Date:**

08/06/2023

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23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 2 - Search warrant for Electronics and Cellphone****SUPPLEMENTAL**

On April 13, 2023, I authored a search warrant to search and extract data from all electronic devices located inside Silva's residence to include Silva's cellphone. The warrant was granted by Honorable B. Barmann of Kern County Superior Court at approximately 1958 hours.

On April 19, 2023, I provided Detective Santos with the search warrant because he is the one extracting the devices. Refer to his supplemental for further.

On May 22, 2023, I completed a search warrant return to Honorable B. Barmann.

The return was for the cellphone extraction, not any of the other electronics seized. After review of documents already obtained it was Detective Santos and I belief the main point of access to Tiktok was on the cellphone seized. At that time, no other searches were done and the warrant had expired.

**END OF SUPPLEMENTAL.**

**Prepared By:**

10150 MONTEIRO, BRIAN

**Date:**

04/19/2023

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**Date:**

08/06/2023

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**DELANO POLICE DEPARTMENT**2330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 3 - Case Synopsis / RP attempt contact**Page 1  
23-01152**SUPPLEMENTAL**

On Tuesday, April 11, 2023, at about 1800 hours, Detective Commander (Cmdr.) P. Lopez and Chief Tyson Davis briefed Detective Corporal (Cpl.) B. Monteiro and myself on this case. Cmdr P. Lopez advised Cpl. Monteiro he would be the lead investigator on this case and requested I assist him.

Tyson Davis forwarded two emails containing files sent from the Federal Bureau of Investigations, I later reviewed the emails and files. On Wednesday, April 14, 2023, I downloaded the files and emails and later saved them onto a disc as evidence.

**Reporting Party**

Upon reviewing the files, I learned that on 04/05/2023, at about 2338 hours (EST) reporting party (RP,) [REDACTED], date of birth [REDACTED], submitted a tip on the FBI National Threat Operations Center (NTOC) website at tips.fbi.gov.

**Philbaker33 TikTok**

[REDACTED] reported a social media TikTok user, "philbaker33" made threats of "mass violence towards transgender individuals with an AR-15." The nickname for account philbaker33 is "blaketoothicc."

**FBI NTOC SOMEX Team EDR**

On 04/06/2023, at about 2344 hours (EST,) Special Agent Caleb Lyman from The FBI National Threat Operation Center Social Media exploitation Team, submitted an Emergency Disclosure Request to TikTok. They requested video content, subscriber information and IP session logs associated with account philbaker33 from 12/20/2019 - 04/06/2023.

**TikTok**

At about 0100 hours, TikTok responded to the request and provided "Basic Subscriber Information" for philbaker33 and "1 Login Logout History."

**Basic Subscriber Information**

The signup device was an iPhone 12,5, signup date 12/20/2019 0606 hours UTC, signup IP [REDACTED], signup method was Facebook and email attached was [REDACTED].

**Login Logout History**

The User login time: 04/05/2023 12:40:45AM UTC,

User login IP: [REDACTED]

User login country: United States

Special Agent Caleb Lyman recontacted TikTok and requested additional data. At about 1137 hours, TikTok provided additional IP Log history and the following comments made by the user:

"Send me the addy, I'll pull up on you." - 04/05/2023

**Prepared By:**

10149 SANTOS, LEONEL

**Date:**

04/19/2023

**Approved By:**

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**Date:**

08/10/2023

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**DELANO POLICE DEPARTMENT**Page 2  
23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 3 - Case Synopsis / RP attempt contact**

1 "Send the addy. I'll pull up rn." - 04/05/2023

2 "But my AR will track y'all down like it did Aubrey from Tennessee." - 04/05/2023

3 "I've lifted my AR, high than your rights." - 04/05/2023

4 "Oh my dutches, it's funny you think you have any form of power. The only power youll see is the  
5 one from from a barrel and a 9mm." - 04/04/2023

6  
7 I noticed there were 2 additional PDF documents with additional "Event IP Data" Logs. I noticed  
8 document "04062023.TikTok.SubscriberInformation\_925859\_D1\_1680761065384" had the Basic Subscriber  
9 Information and IP logs from 04/03/2023 11:55:13AM (UTC +00) through 04/06/2023 02:23:26AM (UTC +00.)

10  
11 I noticed document "philbaker33\_Events\_IP\_925859\_SC\_1680808931551" had IP logs from  
12 04/04/2023 12:36:33PM (UTC +00) to 04/06/2023 09:52:50AM (UTC +00.)

13  
14 Upon combining all IP logs, I noticed logs from 04/03/2023 11:55:13AM (UTC +00) through 04/06/2023  
15 09:52:50AM (UTC +00.) IP logs showed the following IP's were used from:

16  
17 Date: 04/03/2023 11:55:13AM (UTC +00) - 04/03/2023 12:14:01PM (UTC +00)

18 IP: [REDACTED]

19  
20 Date: 04/03/2023 10:37:46PM (UTC +00) - 04/03/2023 11:53:56PM (UTC +00)

21 IP: [REDACTED]

22  
23 04/04/2023 03:02:26AM (UTC +00) - 04/04/2023 03:17:46AM (UTC +00)

24 IP: [REDACTED]

25  
26 04/04/2023 12:36:33PM (UTC +00) - 04/05/2023 12:49:24AM (UTC +00)

27 IP: [REDACTED]

28  
29 Date: 04/05/2023 01:38:32AM (UTC +00) - 04/05/2023 01:39:34AM (UTC +00)

30 IP: [REDACTED]

31  
32 04/05/2023 03:30:00AM (UTC +00) - 04/06/2023 12:44:53AM (UTC +00)

33 IP: [REDACTED]

34  
35 Date: 04/06/2023 12:47:33AM (UTC +00) - Date: 04/06/2023 12:48:32AM (UTC +00)

36 [REDACTED]

37  
38 Date: 04/06/2023 01:04:55AM (UTC +00) - 04/06/2023 09:52:50AM (UTC +00)

39 IP: [REDACTED]

40  
41 3 IP's used

42 Based on the above data, I noticed 3 different IP's were used with the philbaker33 TikTok account.

Prepared By:

10149 SANTOS, LEONEL

Date:

04/19/2023

Approved By:

1089 ORTIZ, JULIAN

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08/10/2023

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23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 3 - Case Synopsis / RP attempt contact**

1 IP: [REDACTED], IP: [REDACTED] and IP: [REDACTED]

4 *Rafael Silva Email*

5 FBI conducted an Accurint query for email address [REDACTED] and learned the  
6 subscriber was Rafael Silva with a date of birth of [REDACTED] and address of [REDACTED], Delano as of  
7 March 2023.

9 *Detective Santaella*

10 On 04/6/2023, SA Caleb Lyman contacted Detective Santaella who is currently a Task Force Officer with  
11 the FBI. They advised him of the threats and provided him the name and date of birth of the subject. Detective  
12 Santaella advised SA Caleb Lyman Silva was a Delano Police Department Police Officer.

14 *FBI EDR to AT&T*

15 On 04/06/2023, at about 1247 hours ET, SA Caleb Lyman submitted an Emergency Disclosure Request to  
16 AT&T Global Legal Demand Center for subscriber information, IP logs and billing for the users of IP addresses  
17 [REDACTED] and [REDACTED].

19 At about, 1437 hours PT, SA Caleb Lyman received a subscriber information from AT&T :

20 IP address: [REDACTED]

21 Billing Party Account Name and Service account: Rafael Silva

22 Billing Address and Service Address: [REDACTED]

23 Contact phone: [REDACTED]

24 Contact email: [REDACTED]

25 Usage Start Date: 12/22/2022 11:09 to present.

27 IP address: [REDACTED]

28 Billing Party Account Name and Service Account name: Rafael Silva

29 Billing Address and Service Address: [REDACTED]

30 Contact email: [REDACTED]

31 Usage Start Date: 08/14/2022 2016 hours to present.

33 *@zogrimmwood response video*

34 The FBI attempted to locate the TikTok account philbaker33 but were unable to view it. They located a video  
35 posted by @zogrimmwood as a response video referencing a comment by @philbaker33. Philbaker33's  
36 comment stated "Don't worry bro, You're next. We gonna find you. You ain't safe. We finna change your  
37 pronouns soon. Was/were."

39 *TikTok Application review*

40 On April 12, 2023, I located @zogrimmwood's response video. I observed the above comment made by  
41 philbaker33. The video stated it was posted on April 4, 2023. @zogrimmwood tagged 9 TikTok users on the  
42 account. I noticed one of the users was @duchessofdarkness. @zogrimmwood started her video by saying "you

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Date:

04/19/2023

Approved By:

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Date:

08/10/2023

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**DELANO POLICE DEPARTMENT**Page 4  
23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 3 - Case Synopsis / RP attempt contact**

threaten one of us, you threaten all of us." @zogrimmwood wrote on the screen comment sections "TIKTOK if you allow death threats THEN YOU CAN ALLOW THIS RESPONSE." @zogrimmwood further added several hashtags such as #notbullying, #transphobia, #trans and several other.

I screen recorded the TikTok video with my Department issued iPhone and later saved it on a DVD as evidence.

I attempted to search for philbaker33 on the TikTok application but did not locate a user. I reviewed the comment section to @zogrimmwood's video and located a comment made by user @vabills who stated "ahhhh the coward @philbaker33 isn't going to do shit."

I observed a comment under @vabills from @violetavrie which stated "Wow what do you know he deleted it. Not so brave anymore."

I selected the name @philbaker33 in the comment and it directed me to @philbaker33's account. The screen stated "Account banned" and "the account philbaker33 is no longer available."

@duchessofdarkness

Based on the comment made by philbaker33 "Oh my dutches, it's funny you think you have any form of power. The only power you'll see is the one from from a barrel and a 9mm" and based on the response video from @zogrimmwood who tagged @duchessofdarkness. I believe @duchessofdarkness may have been the target of the comments made by philbaker33.

I reviewed @duchessofdarkness TikTok profile and located a video posted on April 6, 2023. The user posted a video of themselves in response to the "Nashville shooting." The user captioned the video "Addressing the Tennessee shooting." The user has the following comments on their feed: "You will not force me into manhood I will leave this world a beautiful women."

I screen recorded the TikTok video with my Department issued iPhone and later saved it on a DVD as evidence.

SA Caleb Lyman contact regarding reporting party

April 12, 2023, at about 0920 hours, I contacted SA Caleb Lyman to ascertain if there was any additional data that we had not received. I further asked him if the reporting party had been contacted. SA Caleb Layman stated there was no additional data and stated he had attempted to contact the reporting party on 04/06/2023 via the listed number provided. He received no answer and left a voicemail requesting a call back.

Reporting Party attempted contact

April 12, 2023, at about 0937 hours, I attempted to contact the reporting party, [REDACTED] but received no answer.

I conducted an Accurint search for [REDACTED] with a date of birth of [REDACTED] and noticed the address they provided matched the address on Accurint. I further saw his mother was listed as [REDACTED].

I conducted a search of the reporting partys phone number through Cellhawk and noticed the phone

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**SUPPLEMENT 3 - Case Synopsis / RP attempt contact**

Page 5  
23-01152

1 number was a Verizon number associated with [REDACTED] with an address of [REDACTED]  
2 [REDACTED].  
3  
4 End of supplemental  
5

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04/19/2023

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08/10/2023

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SUPPLEMENT 4 - Tiktok warrantPage 1  
23-01152SUPPLEMENTAL

On April 17, 2023, I authored a search warrant for Tiktok Inc. The search was for the account of philbaker33. The warrant was granted by Honorable M. Bush of Kern County Superior Court at approximately 1605 hours.

On this day, I submitted the granted search warrant to Tiktok Inc. Via digital upload to:

<https://www.tiktok.com/legal/report/lawenforcementrequest>

As of April 25, 2023, I have not received a return from Tiktok. I submitted another email to Tiktok requesting a status update however, as of April 26th I have yet to receive a response.

On May 8, 2023, I received a return from Tiktok with the information I requested. Tiktok provided me with:

1. 1 zip file with 843 KB of data
2. A certificate of Authenticity page

These items were placed onto a thumb-drive and booked into Delano Police Department Evidence.

**END OF SUPPLEMENTAL.**

Prepared By:

10150 MONTEIRO, BRIAN

Date:

04/19/2023

Approved By:

1089 ORTIZ, JULIAN

Date:

08/06/2023

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**SUPPLEMENT 5 - Cellphone Data Extraction**Page 1  
23-01152**SUPPLEMENTAL**

On April 13, 2023, Detective Santaella served a search warrant authored by Detective Monteiro, for Silva's person, at the Delano Police Department, for his cellphone. Detective Corporal Monteiro and I served a Search Warrant on Rafael Silva's residence at [REDACTED]. His vehicle, a white Honda Civic [REDACTED] at the Delano Police Department.

Detective Santaella collected Silva's phone and secured it at the Delano Police Department, data extraction work station, in the Investigation's Division.

On April 17, 2023, Detective Monteiro provided me with a signed search warrant which granted permission to extract data from Silva's phone. He further stated R. Silva provided the passcode for the phone and provided the passcode to me.

On April 18, 2023, at about 1129 hours, I began the extraction process by taking about 31 photographs of the cellphone.

I noticed the cellphone was a white Apple iPhone with a screen protector. The screen protector was cracked on the bottom left side and bottom of the screen. I noticed the iPhone had a black and brown Tendlin brand case.

I used Cellebrite to extract and parse the data obtained. The following information was collected from the cellphone:

Manufacturer	Apple iPhone
Model	iPhone 13 Pro Max
IOS Software Version	16.3.1
IMEI	310280037244297
IMEI 2	310280043840885
ICCID	89012804330372069482
MSISDN	16612297021
eSIM	16616675036

I saved the extracted data, photos of the iPhone, Cellphone Extraction Report, and the parsed report onto a flash drive. I provided Detective Monteiro a copy of the data and later placed the flash drive into the Delano Police Department as evidence.

I later reviewed the report to confirm the extracted parsed report had all the data requested. I noticed the messages from the phone were not readily available on the report.

Prepared By:

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Date:

04/25/2023

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Date:

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**DELANO POLICE DEPARTMENT**Page 2  
23-011522330 HIGH ST DELANO, CA 93215 661-721-3377  
**SUPPLEMENT 5 - Cellphone Data Extraction**

1            *On 04/26/2023, I re-parsed the original extracted data and saved it onto a flash drive. I provided a copy*  
2   *to Detective Monteiro and later entered the newly parsed data into the Delano Police Department as evidence.*

3  
4   *End of supplemental*

5  
6  
7

**Prepared By:**

10149 SANTOS, LEONEL

**Date:**

04/25/2023

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1089 ORTIZ, JULIAN

**Date:**

08/06/2023

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SUPPLEMENT 7**Page 1  
23-01152**SUPPLEMENTAL**

*On August 23, 2023, I authored a search warrant to obtain subscriber information from Tiktok accounts: @duchessofdarkness and user51550628736. The purpose of this warrant was to attempt to identify who we believed to be the potential target of the threats made by Silva. This warrant was granted by Honorable G. Pulskamp at 0858 hours.*

*End of supplemental.*

**Prepared By:**

10150 MONTEIRO, BRIAN

**Date:**

08/22/2023

**Approved By:**

1089 ORTIZ, JULIAN

**Date:**

08/24/2023

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**SUPPLEMENT 8 - Victim has not been identified**Page 1  
23-01152**SUPPLEMENTAL**

Upon reviewing the data received from the FBI and the data collected from Rafael Silva, no personal information was located for the possible victim in this case.

As of August 10, 2024, no TikTok user had come forward as a victim of the threats posted by Philbaker33.

At this time the possible victim is believed to have been TikTok user "duchessofdarkness." Due to there not being a way to contact the user @duchessofdarkness, I created a TikTok account with for law enforcement use.

On August 10, 2024, I searched for @duchessofdarkness in order to reach out to see if they had filed a police report in another jurisdiction. I noticed the TikTok account for @duchessofdarkness (user51550628736) had been banned therefore there was no way of contacting the owner of the account.

I took a screenshot of @duchessofdarkness account with my department issued phone and upload evidence.com.

End of supplemental

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**SUPPLEMENT 9 - Warrant return**Page 1  
23-01152**SUPPLEMENTAL**

*On September 19, 2023, I received a search warrant return from Tiktok with subscriber information for account "duchessofdarkness" to include a Certificate of Authenticity page. The following pages were printed and later uploaded to evidence.com.*

*I completed a search warrant return and submitted it to Honorable Pulskamp of the Kern County Superior Court.*

**END OF SUPPLEMENTAL**

**Prepared By:**

10150 MONTEIRO, BRIAN

**Date:**

09/26/2023

**Approved By:**

1089 ORTIZ, JULIAN

**Date:**

10/04/2023

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