

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Antonio Vargas, having been duly sworn, hereby depose and state:

AFFIANT

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) currently assigned to the San Juan Office. I am presently assigned to a squad that has investigative responsibility for Domestic Terrorism matters and have previously received training in the areas of terrorism, bank robbery, financial crimes, and violations of federal aviation statutes, namely, 49 U.S.C. 46505 - Carrying, or attempting to, dangerous weapons on an aircraft. I have been a Special Agent with the FBI for approximately seven years.

2. Because this affidavit is submitted for a limited purpose, I have not included details of every aspect of this investigation. I am thoroughly familiar with the information contained in this Affidavit, either through personal investigation or through discussions with other law enforcement officers who have interviewed individuals or personally have obtained information, which they in turn have reported to me.

3. On May 17, 2010, at approximately 12:15 p.m., Jose Pol (hereinafter "Pol") was in line to pass through the Transportation Safety Authority (hereinafter TSA) security check point number 3 at the Luis Munoz Marin International Airport, located in Isla Verde, Carolina, Puerto Rico. Pol was scheduled to travel on board Jet Blue Airline flight number 860, departing from gate C-22 San Juan, P.R., destined for Boston Logan International Airport.

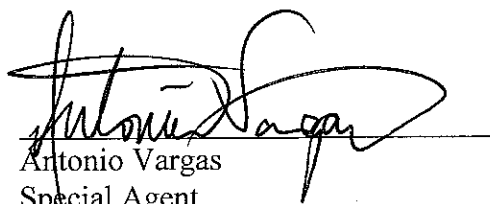
4. Pol was traveling with two pieces of carry-on luggage, one of them containing a laptop computer. Pol placed the two pieces of luggage on the x-ray machine at the check point location. The TSA Officer screening the luggage noticed some irregularities in the luggage and sent Pol for a secondary search.

5. At the secondary search the TSA Officers discovered several items in the carry-on

luggage, to include: four box cutters, two lighters, one pepper spray canister, one stun gun, six batteries, a button device with a connecting wire giving off an electric charge when pressed, a flight simulator program, a switch blade knife, scissors, three boxes of strike matches, and New York City information cards. Based on my training and experience, items such as the stun gun, pepper spray, box cutters and switch blade knife can be used to threaten, incapacitate, harm, injure or cause the death of the security personnel on board the aircraft and/or to endanger the lives of the crew members and passengers on board the flight.

6. The TSA Officer asked Pol to accompany him to the TSA security office, located at the check point and Pol voluntarily went to the TSA security office and waited in the room. Subsequently, FBI Agents arrived at the TSA Security checkpoint and took custody of Pol.

7. Based on the facts presented above, I do believe that Jose Pol willfully attempted to carry aboard Jet Blue flight number 860 dangerous weapons in violation of Title 49, United States Code, Section 46505.


Antonio Vargas
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 18th day of May 2010, at Hato Rey, Puerto Rico.


UNITED STATES MAGISTRATE JUDGE