

SECRET

PI # 05/08

**POLICE DEPARTMENT  
CITY OF NEW YORK**

March 27, 2008

**From:** Intelligence Collection Coordinator and Intelligence Analysis Coordinator

**To:** Commanding Officer, Intelligence Division

**SUBJECT: REQUEST TO CONDUCT A PRELIMINARY INQUIRY CONCERNING  
DENNIS CHRISTOPHER BURKE AND CERTAIN OF HIS ASSOCIATES**

1. Pursuant to the modified Handschu Guidelines, the undersigned requests that the Intelligence Division be authorized to conduct a Preliminary Inquiry concerning the individuals more fully described in paragraph 2, below. Responsible handling of the information currently known requires the opening of a Preliminary Inquiry. The requested Preliminary Inquiry is necessary so that accurate and reliable information may be obtained regarding any plans on the part of the subjects of this Preliminary Inquiry, or persons associated with them, to engage in unlawful conduct or activities. Such information will also be utilized by the Department to gather sufficient evidence to maximize the potential for successful prosecution of legal proceedings concerning the subjects of this Preliminary Inquiry and/or individuals associated with them, and to facilitate the efficient deployment of police resources to ensure public safety and security.

2. The subjects of this Preliminary Inquiry are Dennis Christopher Burke ("Burke"), aka Thaddeus, and his associates, who were members or participants in Times Up, Inc. (Times Up) or who were associated with Bradley Will, a documentary filmmaker and journalist affiliated with Indymedia, was shot and killed on October 27, 2006 in Oaxaca, Mexico. Times Up and its membership were the subjects of Full Investigation # 04/05 which was authorized on March 30, 2005 and discontinued on or about March 29, 2006. Prior to its becoming a subject of FI # 04/05, Times Up was a subject of FI # 03/03 which was discontinued when FI # 04/05 was opened. A group of individuals calling itself the Friends of Brad Will is the subject of Preliminary Inquiry # 13/07, which was opened on October 26, 2007.

3. The factors justifying the request to conduct a Preliminary Inquiry include:
  - A. On March 6, 2008, at approximately 0342 hours a small bomb explosion occurred at the United States Armed Forces recruiting station located at 43rd Street in Manhattan (“Times Square Recruiting Station”) causing property damage only. Surveillance video retrieved from a building in the area of the explosion indicated that shortly before the explosion an individual wearing a dark hooded sweat shirt and riding a bicycle arrived at the island at which the Times Square Recruiting Station is located, got off the bicycle and walked to the front door of the recruiting station.
  - B. Open source information indicated that the Time Square Recruiting Station bombing was the third event since May 2005 in which (1) an explosive device was placed or thrown at a building between 0330 and 0400 hours to cause property damage at a venue associated with a governmental or corporate entity that has been the target of demonstrations or other protest actions and (2) an individual riding a bicycle and wearing a hooded sweatshirt was observed at or near the site of the explosion shortly before or after the explosion. The first explosion event occurred on May 5, 2005 at a building in Manhattan housing the British Consulate and the offices of Caterpillar Inc, which has been the object of protests by the International Solidarity Movement (a subject of Full Investigation # 05/03 which was discontinued on March 27, 2007), as well other organizations, concerning the death of Rachel Corrie in March 2003. The second explosion event occurred on October 27, 2007 at the Mexican Consulate in Manhattan, which has been the object of demonstrations by a group calling itself the Friends of Brad Will (the subject of Preliminary Inquiry # 13/07) that was protesting Will’s murder by what demonstrators alleged were Mexican Government backed paramilitary forces.
  - C. Open source information indicated that at or about 0600 hours on March 6, 2008, a blog called Bombs and Shields (which below its title prints the statement “Always Keep Your Shield Between You and Your Bomb”) reprinted a news article reporting on the Times Square Recruiting Station bombing. Information obtained by a confidential source in FI # 03/03 indicated that (1) as of March 2005, Bombs and Shields was administered by Burke and (2) as of March 2005, a purpose of the blog was to keep individuals engaged in protest activity apprised of bombings and other acts of violent protest. The less than 3 hour period between the bombing and Bombs and Shields posting on the bombing raises the possibility that Burke or someone else associated with Bombs and Shields had information concerning the Times Square Recruiting Station bombing prior to its occurrence.
  - D. Information obtained in FI # 03/03 and FI # 04/05 indicated that until the discontinuance of FI # 04/05 in March 2006, Burke was a member of Times Up and a close associate of Times Up leaders William DiPaola and Brian Neubauer. Information reported in the Investigative Statement for FI # 04/05 indicated that leaders and members of Times Up, including

DiPaola and Neubauer, have (i) planned and participated in unlawful conduct in connection with Critical Mass bicycle rides and (ii) have solicited and trained other individuals to engage in Bike Blocs, which are organized efforts by bicycle riders to divert police personnel during a demonstration or protest for the purpose of facilitating unlawful conduct by other protestors at the event. Information obtained in FI # 03/03 and FI # 04/05 also indicated that Burke, DiPaola and Neubauer, as well as other members of Times Up, have advocated engaging in unlawful activity, including unlawful activity that involved the use of bicycles, as a form of social or political protest.

- E. Information obtained in FI # 03/03 and FI # 04/05 indicated that Burke has been arrested on several occasions while participating in demonstrations or protest activity. Information obtained in FI # 03/03 also indicated that on August 27, 2004 during the last Critical Mass bicycle ride before the Republican National Convention began, a confidential source observed Burke taking his bicycle and pushing it forward like a shield into a group of police officers who were trying to disperse a crowd and make arrests outside St. Marks Church. Burke was not arrested on that occasion. Information obtained in FI # 03/03 further indicated that on December 12, 2004 during a protest at Casa Del Sol in the Bronx, Burke instigated a fight with police officers trying to disperse a crowd. Burke was arrested on December 12, 2004. However, the records of that arrest have been sealed.
- F. Information reported in the Investigative Statement for FI # 04/05 indicated that on February 3, 2005 members of Times Up held a meeting to discuss planning for and recruiting riders for a Bike Bloc to be held in connection with anti-war demonstrations concerning the second anniversary of the war with Iraq. Information obtained in FI # 04/05 indicated that Burke participated in the aforementioned February 3, 2005 meeting and that at this meeting, Neubauer suggested that small affinity groups of Bike Bloc members support the more radical actions that might occur at the demonstrations being planned for.
- G. Information obtained in FI # 03/03 indicated that when Bradley Will was alive, he and Burke were friends and had lived as squatters at the same location. Information obtained in FI # 03/03 also indicated that Burke has been associated with other individuals who (1) were friendly with Bradley Will and (2) have engaged in unlawful activity as a means of social or political protest. These individuals include Timothy P. Doody, Mark Read and Adam Weissman.
- H. The undersigned concludes that the foregoing information indicates that there is a possibility that Burke and certain of his associates, who were members or participants in Times Up or who were associated with Bradley Will, have engaged in, are engaged in or are planning to engage in unlawful conduct, including unlawful activity that may be related to the Time Square Recruiting Station bombing and/or earlier similar events involving explosive devices.

- I. Responsible handling of the information currently known requires that a Preliminary Inquiry be conducted concerning Burke and those of his associates, who were members or participants in Times Up or who were associated with Bradley Will.

5. For your consideration.

Donald Powers  
**Captain**

Mitchell Silber  
**Director**

**ACTION BY AUTHORIZING OFFICIAL**

The request to authorize Preliminary Inquiry # 05/08 is hereby:

APPROVED

DISAPPROVED

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Deputy Chief Thomas Galati  
Commanding Officer, Intelligence Division  
Dated: March , 2008

**FINAL ACTION**  
**DEPUTY COMMISSIONER INTELLIGENCE**

The request to authorize Preliminary Inquiry # 05/08 is hereby:

APPROVED

DISAPPROVED

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David Cohen  
**Deputy Commissioner Intelligence**  
Dated: March , 2008