

STATE OF IDAHO)
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County of Kootenai) Affidavit of Donald E. Robinson, Jr.

1. I, Donald E. Robinson, Jr., Supervisory Special Agent, Federal Bureau of Investigation (FBI), being duly sworn, affirm and state:

2. I have been employed as a Special Agent with the FBI since December 1991. I have been a Supervisory Special Agent since February 2002 and have served in both the Criminal Investigative and Counterterrorism Divisions of FBI Headquarters. During my career I have investigated and/or supervised a myriad of criminal and national security investigations, to include drug trafficking, bank robbery, murder for hire, racketeering, Indian Country matters and terrorism matters. Since February 2005 I have been assigned as the Supervisory Senior Resident Agent of the Coeur d'Alene and Lewiston Resident agencies of the FBI. I supervised the murder for hire investigation involving Edgar Steele.

3. I have reviewed the Motion for New Trial (Dkt 291) and the attachments.

4. In the August 8, 2011 affidavit of Cyndi Steele (Attachment to Docket 291) she asserts that prior telephonic death threats targeting her husband and other members of her family were reported to the FBI. (Page 7, paragraph d). She further claims that her husband later informed her that the FBI told him that the threatening calls were traced back "Non-governmental Organizations" (NGOs) such as the Southern Poverty Law Center (SPLC), Anti Defamation League (ADL) and the Jewish Defense League (JDL). (Page 7, paragraph d). She continues to state "when the FBI's investigation confirmed the origin of these calls was from these NGOs, it refused to take any action because of what appears to be a special relationship between these NGOs and the FBI- creating a strong inference of linkage between the threats from these organizations and the prosecution of my husband on false charges of murder-for-hire" (page 7, paragraph d).

5. As the Supervisory Senior Resident Agent of the Coeur d'Alene and Lewiston Resident agencies of the FBI since February of 2005, I am responsible for approving the initiation of all investigations. I also review all citizen complaints. During my tenure there have been no investigation into alleged threats against Edgar Steele. In fact, I was unaware of who Edgar Steele was.

6. In response to Mrs. Steele allegations, I conducted a search of FBI indices and found no reference to any complaint by Mr. Steele, or any member of his family, regarding threatening communications of any kind.

7. FBI procedure and policy provides that when a citizen complaint of criminal activity is reported to the FBI, this complaint is documented and recorded in FBI indices.

8. There nothing in the FBI indices which indicates the FBI "confirmed the origin" of the call as coming from the specified NGOs . In order to determine the origin of telephone calls the FBI would have to obtain legal process, either in the form of a court order or Grand Jury Subpoena which would have also been documented in FBI records. No such records exist.

9. In my capacity as Supervisory Senior Resident Agent, I cannot opine as to what information Cyndi Steele was told by her husband. However, I can opine that no such report was made to the FBI. I can also opine the FBI would not have declined to pursue an investigation based upon external pressure of a NGO.

10. I have read and reviewed all reports generated by FBI personnel in this case.

11. I am familiar with FBI policy, procedure and practice regarding electronic and physical surveillance.

12. In reviewing the reports and speaking with those involved I am unaware of any violation of any FBI policy as alleged in the motion.

13. There is an allegation that S/A Sotka failed to listen to the recording on the initial device (DKT 291, paragraph 4). There is also an allegation that the "Tic Taks" were not on original recording. (Dkt. 291, paragraph 4).

14. I am familiar with the recording device used in this case.

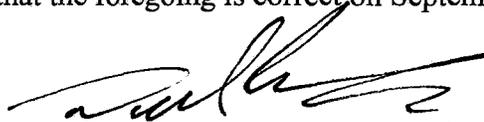
15. There is no speaker on the recording device which allows one to replay the recording independently of a computer. The initial download onto a disc of the recording is the original evidence. S/A Sotka followed the proper procedures.

16. I listened to the original recording and the "Tick Taks" were very apparent on that recording.

17. I was present at the September 20, 2010 meeting with Cyndi Steele and Mr. Hoyt which is referenced in Mrs. Steele affidavit on page 13, paragraph 14. At no time did AUSA Whelan laugh at Mrs. Steele. I recall her shaking her head with incredulity at the assertion the FBI would not investigate a pipe bomb on someone's car because Larry Fairfax has "something on" the FBI.

Further this affiant sayeth naught.

I declare under penalty of perjury that the foregoing is correct on September 7, 2011.



Donald E. Robinson Jr
Supervisory Senior Resident Agent

Subscribed and sworn to before me this 7th day of September, 2011.



Notary Public for Idaho
Residing at: Coeur d'Alene, ID
My Commission Expires: 12/16/16

