

United States District Court
Violation Notice

CVB Location Code

CC11

20F2

STATEMENT OF PROBABLE CAUSE
(For issuance of an arrest warrant or summons)

Violation Number: 4920202
Officer Name (Print): R. GARCIA
Officer No.: 4958

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense (mm/dd/yyyy): 1210 05/30/2016
Offense Charged: CFR USC State Code
38 CFR. 1.218(A) 9
Place of Offense: WLA, GREAT LAWN GATE
11301 WILSHIRE BLVD
LOS ANGELES, CA 90073

Offense Description: Factual Basis for Charge HAZMAT
Displaying PLACARDS OR Posting MATERIALS.

DEFENDANT INFORMATION

Last Name: ROSEBROCK
First Name: Robert
M.I.: L

Street Address: 575 S. BARRINGTON AVE, Apt # 410
City: Los Angeles
State: CA
Zip Code: 90049
Date of Birth (mm/dd/yyyy): 04/04/1982

Drivers License No.: N5025419
CDL D.L. State: CA
Social Security No.: 306-44-9657

Adult Juvenile
Sex: Male Female
Hair: GRY Eyes: GRN Height: 6-2 Weight: 235

VEHICLE VIN:
Tag No.
State
Year
Make/Model
PASS Color

A IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).
B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).
\$ 50 Forfeiture Amount
+ \$25 Processing Fee
PAY THIS AMOUNT → \$ 75 Total Collateral Due

YOUR COURT DATE
(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address
Date (mm/dd/yyyy)
Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.
X Defendant Signature: REFUSED/1232

I state that on MAY 30, 2016 while exercising my duties as a law enforcement officer in the CENTRAL District of California
SEE ATTACHED

N/G
Trial
12/01/2016

CVB SCAN JUL 18, 2016 13:14

The foregoing statement is based upon:
 my personal observation my personal investigation
 information supplied to me from my fellow officer's observation
 other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: 05/30/2016 [Signature]
Date (mm/dd/yyyy) Officer's Signature

Probable cause has been stated for the issuance of a warrant.

Executed on: _____
Date (mm/dd/yyyy) U.S. Magistrate Judge

HAZMAT = Hazardous material involved in incident; PASS = 9 or more passenger vehicle;
CDL = Commercial drivers license; CMV = Commercial vehicle involved in incident

United States District Court Violation Notice # 4920201
Statement of Probable Cause

(For issuance of an arrest warrant or summons)

I state that on May 30, 2016 while exercising my duties as a law enforcement officer in the **Central District of California**

On May 30, 2016, at approximately 1210 hours, I, Ralph Garcia, was on duty and in full uniform assigned to bicycle patrol checking the Great Lawn gate and speaking with visitors and Veterans in the area. While checking the great lawn gate I observed Robert Rosebrock on the great lawn taking photographs. I pulled up next to Rosebrock who I believe didn't recognize me at the time. Rosebrock was taking photographs of flags which he later admitted to posting on the fence as well as the grounds of the property. It was at this time I verbally identified myself to Rosebrock as VA Police. Rosebrock was advised the taking of photographs on VA property without authorization for media use is not authorized. Based on Rosebrock's past articles, I know the photos would be used for media purposes (see attached article). Understanding this, I asked Rosebrock what he was going to do with the photographs. Rosebrock stated, "Put them on a website and plaster you guys all over the net with news stories on you. It's called freedom of the press!" I advised Rosebrock if he continued to take photographs he would be cited as he did not have authorization. Rosebrock began stating he intends to take photos for his media blog once again and stated his freedom of the press a second time. He further explained that he will continue to take photos and videos to destroy VA Officers and the VA on his media website. I explained to Rosebrock he would be cited if the photographs continue. Rosebrock put his camera away and was told to sit on the wall of the fence while I continued to investigate. Rosebrock stated, "The grass is a mess, there's trash everywhere and you have done nothing to keep it clean! How dare you let it look like this! You need to clean it up right now!" I explained to Rosebrock I was a Federal Law Enforcement Officer for the US Department of Veterans Affairs and as such my duties do not include doing EMS duties or grounds. I advised him I since it was brought to our attention I would call grounds. He became upset stating, "Why cant you do something now like stop harassing me and go pick up trash!" I explained that cleaning trash on the floor is not one of my job duties and again explained I would contact grounds after speaking with him. I explained another suggestion which was if he wanted to volunteer his time to clean it up the VA and the Veterans would be very appreciative of his efforts, but Rosebrock declined! I observed (2) US Flags affixed to the fence using plastic zip ties. I asked Rosebrock the following:

(Garcia) (Q) Are these flags yours?

(Rosebrock) (A) Yes!

(Garcia) (Q) Did you place them on the fence?

(Rosebrock) (A) Yes I did about 20 minutes ago. I am not dealing with you, you have it out for me, you always have! Just like thanksgiving your McDonalds protégé! I'm leaving you can't stop me!

I advised Rosebrock he was not free to leave and was currently detained for unauthorized photography as well as displaying items on the fence. Rosebrock stated again he was leaving. I stepped in front of Rosebrock and stated, "Sir, if you attempt to walk away I will take you physically into custody, place you in handcuffs, and charge you with resisting and delaying under California Penal Code 148. You will be booked into Los Angeles County Jail and you will face the local district attorney to answer for the charge. The choice is now yours to make. I have explained the circumstances your facing and the consequence for your actions. Cooperate and stay as told or be arrested." Rosebrock stated, "Fine, I will stay!" Rosebrock sat on the wall while I asked additional questions;

(Garcia) (Q) Why did you put the flags on the fence?

(Rosebrock) (A) Because I can and I am doing this to force you guys to cite me.

(Garcia) (Q) Why are you doing that?

(Rosebrock) (A) Because you guys are jerks, you harassed me yesterday and you're harassing me today! You lost in court. They threw out all your citations because they see this as harassment. So I will keep posting flags on the fence regardless of whatever you guys say because I don't care. So arrest me for it.

(Garcia) (Q) The president ordered flags to be at half-staff, I noticed neither of those are at half-staff first and second you do understand they are not affixed to a proper pole to be flown in that manner? So now you are not flying flags correctly, not at half-staff, and you don't have permission to affix them on the fence in that manner.


(Rosebrock) (A) Well I am not taking them down you can cite me.

I asked Rosebrock to hand me his license. After receiving the license, Sgt. Joel Henderson arrived on scene. Rosebrock took out his camera and stated, "I am taking a picture of this!" I again instructed Rosebrock if he took a photograph he would be cited for the offense. Rosebrock stated, "Go ahead! They will drop it because they don't have time to deal with me!" Rosebrock began taking photographs. I advised Rosebrock he would now be receiving a citation for unauthorized photography and if he continued, his camera would be confiscated for use as evidence in court. Rosebrock began stating he was only planning on taking pictures of trash on VA property and was outraged that there was trash on the ground. I explained to Rosebrock he was going to receive a citation for 38 CFR 1.218(A) (9) Displaying Placards or posting Materials on Property Without Authorization and an additional citation for 38 CFR 1.218(A) (10) taking photographs without permission. Sergeant Henderson removed the flags and I confiscated them. I then issued Rosebrock a United States District Court Violation Notice (#4920202) for a violation of 38 CFR 1.218 (A) (9) displaying placards, materials, on bulletin boards or elsewhere, except as authorized and (#4920201) for violating 38 CFR 1.218(A) (10) taking photographs without permission. Rosebrock refused to sign the citation's but was handed both copies stating his refusal and the time he refused each. Rosebrock was then ordered to depart since he had no official business other than impeding officers by violating the law. I departed the area. I booked the two flags and 3 plastic zip ties into evidence. An evidence form 3524 was completed along with form 3524(a) Tag #1. Lt. Arreygue and I booked it into temporary evidence locker #17, with no further incident. Case closed.

The foregoing statement is based upon:

- my personal observation my personal investigation
- information supplied to me from my fellow officer's observation
- other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: 05/30/2016 
Date (mm/dd/yyyy) Officer's Signature

Probable Cause has been stated for the issuance of a warrant.

Executed on: _____
Date (mm/dd/yyyy) U.S. Magistrate Judge