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2  
3 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

4 UNITED STATES OF AMERICA, )  
5 )  
6 Plaintiff, ) NO.  
7 v. )  
8 VICTOR A. DELL and ) INDICTMENT  
9 DONALD K. ROCKWELL, )  
10 Defendants. )  
11 \_\_\_\_\_ )

12 At all times material to this Indictment:

13 1. The defendants, **VICTOR A. DELL** and **DONALD K. ROCKWELL**,  
14 had no license or permit issued by the Secretary of the Treasury (Department of the Treasury -  
15 Bureau of Alcohol, Tobacco, and Firearms) authorizing them to engage in the business of  
16 manufacturing or dealing in explosive materials.

17 2. "Explosive materials" were defined by Section  
18 841(c) of Title 18, United States Code, to mean explosives,  
19 blasting agents, and detonators.

20 3. "Explosives" were defined by Section 841(d) of  
21 Title 18, United States Code, as "any chemical compound mixture,  
22 or device, the primary or common purpose of which is to function  
23 by explosion," including, but not limited to, a list of  
24 explosives published by the Secretary of the Treasury or his  
25 delegate, the Director of Bureau of Alcohol, Tobacco and Firearms (ATF), on an annual  
26 basis.

27 4. "Flash powder" was listed as an explosive by the  
28 Director of the ATF pursuant to Title 18, United States Code, Section 841(d).



1 **Plan and Purpose**

2 2. It was part of the plan and purpose of the conspiracy that the defendants  
3 would purchase materials necessary to manufacture flash powder explosive devices, including  
4 chemicals, cardboard tubes and plastic end-caps, from companies located in Oregon and  
5 Washington.

6 10. It was further part of the plan and purpose of the  
7 conspiracy that the defendants and other co-conspirators would manufacture flash powder  
8 explosive devices in the state of Washington, for sale, distribution and personal use.

9 **Manner and Means**

10 11. It was part of the manner and means of the  
11 conspiracy that the defendants did not obtain a license or permit  
12 issued by the Secretary of the Treasury (ATF) authorizing them to  
13 engage in the business of manufacturing or dealing in explosive  
14 materials.

15 12. It was further part of the manner and means of the  
16 conspiracy that the defendants utilized a residence owned by  
17 **DONALD K. ROCKWELL** at 1702 Burwell Street, in Bremerton,  
18 Washington, as a manufacturing facility for flash powder  
19 explosive devices.

20 13. It was further part of the manner and means of the  
21 conspiracy that the defendants mixed chemicals, including  
22 aluminum powder and potassium perchlorate, in order to create  
23 explosive materials, such as flash powder.

24 **14.** It was further part of the manner and means of the  
25 conspiracy that the defendants' manufacturing operations in the residence at 1702  
26 Burwell Street in Bremerton, Washington, were conducted in an unsafe manner, and were not  
27 subjected to the safety inspections customarily performed by ATF representatives at the facilities  
28 of ATF licensees.

1 Overt Acts

2 15. In furtherance of the conspiracy and to effect  
3 the plan and purpose thereof, the defendants and their co-  
4 conspirators committed and caused to be committed the following  
overt acts, among others, within the State, and Western Judicial  
District, of Washington and elsewhere:

- 5 (a.) On or about June 11, 1999, **DONALD K. ROCKWELL**  
6 purchased 90 pounds of aluminum powder, from QCM Co. in  
Kent, Washington.
- 7 (b.) On or about June 11, 1999, **DONALD K. ROCKWELL** wrote a  
8 check from his personal checking account to pay for a purchase of  
9 aluminum powder, and represented that the purchase was on behalf  
of a fictitious corporation he referred to as "NW Autobody" and  
"Northwest Autobody."
- 10 (c.) On or about June 11, 1999, **VICTOR A. DELL** purchased 220  
11 pounds of potassium perchlorate from Springfield Scientific, Inc.,  
in Springfield, Oregon.
- 12 (d.) On or about June 24, 1999, **VICTOR A. DELL** purchased 100  
13 pounds of aluminum powder from Springfield Scientific, Inc., in  
Springfield, Oregon.
- 14 (e.) On or about June 25, 1999, **VICTOR A. DELL** purchased over  
15 \$4000 worth of paper tubes and plastic end caps from McCallum  
Company in Seattle, Washington.
- 16 (f.) On or about October 21, 1999, **VICTOR A. DELL** and **DONALD**  
17 **K. ROCKWELL** stored in the residence at 1702 Burwell Street,  
18 in Bremerton, Washington, flash powder explosive devices as well  
19 as equipment, chemicals, and other materials used to manufacture  
flash powder explosive devices, including plastic end-caps, pre-cut  
fuses, cardboard tubes, and containers of aluminum powder,  
potassium perchlorate, and flash powder.

20 **All in violation of Title 18, United States Code, Sections 371 and 844(n).**

21 COUNT TWO

22 **(Manufacturing Explosive Materials Without a License)**

23 **THE GRAND JURY CHARGES:**

24 16. The Grand Jury repeats and realleges each and every allegation contained  
25 in paragraphs 1 through 8 of the Indictment.

26 17. From in or about June, 1999, to in or about  
27 October, 1999, within the State, and Western Judicial District,  
28 of Washington and elsewhere, the defendants, **VICTOR A. DELL** and **DONALD K.**

1 **ROCKWELL**, knowingly engaged in the business of manufacturing explosive materials without  
2 a license issued by the Secretary of the Treasury, and did aid and abet therein, by manufacturing  
3 explosive devices, including flash powder explosive devices, for sale, distribution and personal  
4 use.

5 **All in violation of Title 18, United States Code, Sections 842(a)(1), 844(a) & 2.**

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**COUNT THREE**

**(Manufacturing Explosive Materials Without a License)**

**THE GRAND JURY CHARGES:**

3. The Grand Jury repeats and realleges each and every allegation contained in paragraphs 1 through 8 of the Indictment.

18. From in or about March, 2000, to in or about June, 2000, within the State, and Western Judicial District, of Washington and elsewhere, defendant **VICTOR A. DELL** knowingly engaged in the business of manufacturing explosive materials without a license issued by the Secretary of the Treasury, and did aid and abet therein, by manufacturing explosive devices, including flash powder explosive devices, for sale, distribution and personal use.

**All in violation of Title 18, United States Code, Sections 842(a)(1), 844(a) & 2.**

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A TRUE BILL:

Dated: \_\_\_\_\_

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FOREPERSON

JOHN McKAY  
United States Attorney