
United States District Court

WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

Case Number: 23-mj-00035-JAM

CHLOE M. DASILVA,

DOB: 12/19/1990

COUNT ONE:

Interference with a Flight Attendant

49 U.S.C. § 46504

NMT: 20 Years' Imprisonment

NMT: \$250,000 Fine

Supervised Release: NMT 3 years

Class C Felony

\$100 Mandatory Assessment per Count

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

(Interference with a Flight Attendant)

On or about April 7, 2023, the defendant, CHLOE M. DASILVA, within the Western District of Missouri and on Alaska Airlines flight 456, an aircraft within the special aircraft jurisdiction of the United States, did unlawfully and knowingly intimidate flight attendants of said aircraft, and did thereby interfere and attempt to interfere with the performance of the duties of the flight attendants and did lessen and attempt to lessen the ability of the flight attendants to perform those duties. All in violation of Title 49, United States Code, Section 46504.

I further state that I am a Special Agent and that this complaint is based on the following facts:

(See attached affidavit.)

Continued on the attached sheet and made a part hereof: Yes No



Jacob Green, Special Agent
Federal Bureau of Investigations

Sworn to and subscribed before me via telephone,

April 7, 2023 at 7:49 p.m.

Date

at Kansas City, Missouri

City and State

HONORABLE JILL A. MORRIS
United States Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer 

AFFIDAVIT

I, Jacob Green, being duly sworn, hereby depose and state the following:

1. I am employed as a sworn law enforcement officer with the Federal Bureau of Investigation (FBI) Headquarters office in Kansas City, Missouri and have been since September 2017. I am currently assigned to the FBI, Kansas City Division, Squad 1, Violent Crimes Task Force. I have received training in criminal investigations and my duties include the investigation of federal violations.

2. This affidavit is in support of a complaint charging Chloe M. DaSilva (DaSilva) with a violation of Title 49, United States Code, Section 46504, Interference with Flight Crew Members and Attendants, which occurred on April 7, 2023, while aboard Alaska Airlines flight 456. Alaska Airlines flight 456 was diverted into Kansas City International Airport, Kansas City, Missouri, during its scheduled nonstop service from San Francisco International Airport, San Francisco, California, to Chicago O'Hare International Airport, Chicago, Illinois.

3. The facts set forth in this affidavit are based on my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This statement is intended to show that there is probable cause for the violation and does not purport to set forth all my knowledge of, or investigation into, this matter.

BACKGROUND

4. Title 49, United States Code, Section 46504 states, in pertinent part, "An individual on an aircraft in the special aircraft jurisdiction of the United States who, by assaulting or intimidating a flight crew member or flight attendant of the aircraft, interferes with the performance of the duties of the member or attendant or lessens the ability of the member or attendant to perform those duties, or attempts or conspires to do such an act, shall be fined under Title 18, imprisoned for not more than 20 years, or both."

5. Title 49, United States Code, Section 46501(2)(C) defines Special Aircraft Jurisdiction of the United States as including any "aircraft in flight: another aircraft in the United States."

6. At the time of this incident, Alaska Airlines flight 456 was in flight and in the Special Aircraft Jurisdiction of the United States. Alaska Airlines flight 456 arrived in Kansas City, Missouri, at approximately 4:20 a.m., Central Standard Time on April 7, 2023. DaSilva was a passenger on Alaska Airlines flight 456.

SUMMARY OF PROBABLE CAUSE

As I explain below, I believe DaSilva violated Title 49, United States Code, Section 46504 by threatening, intimidating and interfering with the ability of the Alaska Airlines flight 456 crew to perform their duties.

7. On April 7, 2023, passenger J. M. was interviewed by SA Jacob Green. J. M. stated, among other things, the following:

J. M. was initially sleeping when the subject, later identified as Chloe M DaSilva, first started making a disturbance. However, once he woke up he saw that the subject tried to get to the front of the plane and was cussing and yelling a lot. J. M. heard DaSilva say, "I'm going to fucking kill you" to the male flight attendant. J. M. went on to say that it seemed like DaSilva was very mad at the male flight attendant but did not know why. A flight crewmember asked him to assist the crew with restraining DaSilva. The male flight attendant utilized zip ties to restrain DaSilva without any resistance from the DaSilva. J. M. switched seats with a mother and her infant after DaSilva was restrained in case DaSilva became an issue again.

8. On April 7, 2023, passenger J. S. was interviewed by SA Jacob Green. J. S. stated, among other things, the following:

J. S. first observed DaSilva when she got up from her seat and started to slap the overhead bins of the aircraft. A short time after that DaSilva seemed to have a specific issue with the male flight attendant and walked after him. DaSilva then raised her voice at the male flight attendant asking, "What's your problem?" Shortly after that statement, J. S. heard DaSilva state, "If you don't leave me alone, I'll fucking kill you" and "You're the devil." J. S. advised that DaSilva eventually calmed down and she returned to her seat. J. S. went on to state that the crew got two male passengers to help assist them after the confrontation with the male flight attendant. The crew stated that they needed to cuff her, and J. S. observed the group gathering around DaSilva and placing restraints on her. After DaSilva was restrained, one of the male passengers who assisted the flight crew swapped seats with a mother and her infant who was seated directly in front of DaSilva for their safety.

9. On April 7, 2023, passenger R. N. was interviewed by SA Jacob Green. R. N. stated, among other things, the following:

R. N. was asleep for most of the flight while wearing a sleeping mask and ear plugs when he awoke to DaSilva speaking loudly stating, "who are you?" and "when is this plane going to land?" R. N. said that DaSilva went towards the male flight attendant and got in his personal space. R. N. overheard DaSilva tell the male flight attendant, "I'm going to kill you." R. N. stated that he never saw DaSilva touch any of the flight crew, take any physical actions against them, and had no weapon. A flight crew member asked him to assist the crew with restraining DaSilva. The male flight attendant utilized zip ties to restrain DaSilva without any resistance from the DaSilva.

10. On April 7, 2023, passenger N. F. was interviewed by SA Douglas McKelway. N. F. stated, among other things, the following:

N. F. was sitting in 21A, one row behind DaSilva and on the opposite side of the plane. N. F. was initially sleeping and woke up to DaSilva yelling, "Bitch back the fuck up, I'll fucking kill you." He thought two passengers were in a fight. He then heard DaSilva say, "I'm a human treat me like a fucking human" and "I paid for this flight, leave me alone." N. F. did not see anyone treating DaSilva poorly, and only noticed people trying to calm DaSilva down. N. F. was very disturbed by the incident and thought DaSilva might have a weapon or means to hurt people on the flight. He did not feel safe and could not fall back asleep.

11. On April 7, 2023, Captain M. B. was interviewed by SA Douglas McKelway. M. B. stated, among other things, the following:

M. B. was Pilot in Charge of the flight from San Francisco to Chicago on which the incident occurred. M. B. recalled that the plane was 80 to 100 miles southwest of Kansas City, and about an hour from Chicago, when he was notified by the flight attendant about the incident occurring on board. M. B. and his first officer discussed taking a bathroom break, but neither left the cockpit and decided to divert to Kansas City instead of going to Chicago because he was concerned for the safety of the passengers. He also ordered the flight attendants to restrain DaSilva because she was acting crazy and because he wanted to make the flight safer for everyone.

12. On April 7, 2023, Flight Attendant N. E. was interviewed by SA Douglas McKelway. N. E. stated, among other things, the following:

N. E. was an on-duty flight attendant. While she was making the initial announcements and safety briefing before the flight took off, DaSilva stood up and asked, "when are we leaving." DaSilva then sat back down and was unremarkable for a while. Once in the air, DaSilva went to the back of the plane and stated to another flight attendant, "I can't sit here." She then went into the back lavatory and began banging on the walls. The other flight attendant opened the lavatory door and observed the suspect sleeping. Both flight attendants then left DaSilva alone. Eventually DaSilva went back to her seat, 20D. DaSilva then began banging on the overhead bins and screaming. She then stopped and acted nicely. At approximately this time, N. E. informed the pilots, and they began to coordinate to take a bathroom break in preparation for being in the cockpit for a long period of time. N. E. coordinated several people and flight attendants to create a barrier between the front lavatory and the cockpit. DaSilva then rushed the area where the flight attendants were gathered and yelled at the top of her lungs "I'm going to kill you unless you land the plane right now." DaSilva then approached N. E. and asked three times "Are you the flight attendant? I'm going to kill you." The flight attendants then took DaSilva back to her seat, cuffed her and she acted calm, but in a "creepy" way.

13. On April 7, 2023, Flight Attendant S. P. was interviewed by SA Julie Chin. S. P. stated, among other things, the following:

S. P. was working as a flight attendant on the April 7th, 2023 Alaska Airlines flight number 456, which departed San Francisco in route to Chicago. PAYNE stated that during the initial boarding of the flight, another flight attendant working the flight, noted that DaSilva was acting odd. S. P. and the other attendants were alerted so that they could keep an eye on DaSilva sitting

in aisle seat 20D throughout the flight. Once airborne, S. P. noted that DaSilva did not want anything, but did ask to change her seat. S. P. advised the passenger that the flight was full, and thus that would not be possible. During the course of the flight, DaSilva went to the bathroom in the rear of the plane for an extended period of time. After roughly five minutes, both the flight attendants and passengers heard DaSilva aggressively banging on the bathroom door. S. P. and the other flight attendants then did a courtesy knock, and ultimately unlocked the door from the outside. This was to ensure that DaSilva was ok, and it was quickly determined that DaSilva was not in distress. S. P. and the other flight attendants agreed to leave DaSilva in the restroom, as it was the safest place for her to be. S. P. and the other flight attendants asked two male passengers, occupying seats 7C and 7D, for their assistance with DaSilva if needed. When DaSilva ultimately departed the bathroom, she attempted to make her way back to her seat in row 20. When walking toward the front of the plane, DaSilva missed her seat and punched the overhead bin of the aircraft. Ultimately, S. P. stated that she did return to seat 20D. Later in the flight, S. P. advised that the pilots requested to take a break, where it is standard procedure for flight attendants to stand near the flight deck door. Due to the concerns regarding DaSilva in seat 20D, S. P. and the other attendants agreed that S. P. should stand near the curtain separating economy and 1st class. S. P. had another flight attendant, "Q", grab flex cuffs and watch from the back of the plane. During this break, S. P. described that DaSilva rushed him at the 1st class curtain and she said, "I don't like this" and "I'm going to fucking kill you". S. P. asked the female passenger to return to her seat, which she did, but the Captain requested that DaSilva be placed in flex cuffs. In response, the two previously identified male passengers assisted in placing the female in flex cuffs. S. P. stated that DaSilva was disruptive to the flight, but did not touch anyone. For the flight crew, safety was a very large concern. S. P. felt that DaSilva's actions interfered with the pilot break and that she was attempting to rush the flight deck. S. P. re-iterated that standing at the 1st class curtain is not standard practice, however the crew agreed that it was necessary.

14. Based on the foregoing, I believe there is probable cause to find that Chloe M. DaSilva violated Title 49, United States Code, Section 46504, Interference with Flight Crew Members and Attendants.

Jacob Green

Jacob Green
Special Agent
Federal Bureau of Investigation

Telephonically
Sworn and subscribed to before me this 7th day of April 2023.

Jill A. Morris

HONORABLE JILL A. MORRIS
United States Magistrate Judge
Western District of Missouri

