

AFFIDAVIT OF BROOKE BINKOWSKI

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned notary, on this day personally appeared Brooke Binkowski, a person whose identity has been established to me. Upon being duly sworn, Affiant states:

BACKGROUND

1. My name is Brooke Binkowski. I am over the age of 21 and competent to make this affidavit.
2. I have over twenty years of experience as a multimedia journalist and professional researcher.
3. I possess a Bachelor of Arts from the University of California in International Studies – Linguistics – Anthropology, and I am currently completing my Master’s thesis.
4. I am also a Fellow in Global Journalism at the Munk School of Global Affairs.
5. Over my career, I have worked in reporting, editing, and producing roles for CNN, CBS Radio, National Public Radio, Southern California Public Radio, Foreign Policy, Latino USA, and others as a freelance reporter.
6. I also served as the Managing Editor of Snopes.com from 2015 to 2018.
7. The Snopes.com website was founded in 1994 to research urban legends, and it has since grown into the oldest and largest fact-checking site on the Internet.
8. Over twenty years later, Snopes.com has come to be regarded as an essential source for research on rumors and misinformation. The work which I oversaw has been described as painstaking, scholarly, and reliable, and it has been lauded by the world’s top folklorists and journalists.
9. As part of my work with Snopes, I routinely investigated claims made in media and on the internet to assess their validity; last year, I received recognition from my colleagues in the form of what is called the Sunshine Award for my anti-disinformation work.
10. As part of my work, I have been called upon to assess the content and meaning of a variety of statements, ranging from news articles, video or written news content, oral

interviews, social media content, forwarded emails, anonymous viral content, and an endless supply of other materials.

11. As part of my work, I have years of experience in assessing the tone and intent of a given text, as well as expertise in parsing meaning and innuendo.
12. In the course of this work, I have become very familiar with InfoWars.
13. InfoWars frequently made factual claims in its videos and online articles which were the subject of fact-checking by the Snopes staff.
14. I am extremely familiar with the overall tone and style of the content produced by InfoWars.

THE JUNE 26, 2017 VIDEO

15. I have reviewed a video published by InfoWars on YouTube on June 26, 2017 relating to an interview given by Sandy Hook parent Neil Heslin. I have enclosed a USB flash drive with a copy of the video for filing with the Court.
16. The gist of the video segment is that Mr. Heslin is not telling the truth about having held his son and having seen a bullet wound in his head.
17. There are several parts of the language used in the video which I found quite significant.
18. First, it is notable that Mr. Shroyer only said the phrase “Zero Hedge” one time in the entire segment. Mr. Shroyer did not consistently attribute the allegations to Zero Hedge.
19. In discussing Mr. Heslin’s interview, Mr. Shroyer stated: “The statement he made, fact checkers on this have said cannot be accurate.”
20. This language is ambiguous in context. It can reasonably be interpreted in three ways. First, the “fact checkers” who purportedly examined the issue could work for InfoWars. Second, the “fact checkers” could be associated with Zero Hedge. Third, the “fact checkers” are some other unnamed source relied on by InfoWars.
21. A viewer of ordinary intelligence could hear this statement and reasonably believe that InfoWars had confirmed the accuracy of the Zero Hedge report with its own “fact checkers.” This interpretation is supported by the remainder of the segment in which Mr. Shroyer makes his own comments and shows footage assembled and edited by InfoWars.
22. Later in the video, Mr. Shroyer stated: “[Heslin] is claiming that he held his son and saw the bullet hole in his head. That is his claim. Now, according to a timeline of events and a coroner's testimony, that is not possible.”

23. A viewer of ordinary intelligence could hear this statement and conclude that Mr. Shroyer is making his own assertion. Zero Hedge is not mentioned. In fact, Mr. Shroyer's citation of "a timeline of events and a coroner's testimony" as the basis for his conclusion strongly suggests that InfoWars had examined the evidence itself.
24. At this point in the video, it is clear that Mr. Shroyer was making an assertion of fact, not giving his opinion. He asserted that Mr. Heslin's statement is not possible, and he cited evidence. He was unequivocal in his statements.
25. Mr. Shroyer's statement was false. Mr. Heslin stated to Megyn Kelly that "I lost my son. I buried my son. I held my son with a bullet hole through his head." The evidence shows that Mr. Heslin lost his son, and that he buried his son, and that it was indeed possible for Mr. Heslin to hold his child and see the bullet wound.
26. I have reviewed the affidavit of Dr. Wayne Carver, the Connecticut Medical Examiner cited in Mr. Shroyer's video.
27. Dr. Carver's affidavit stated that the bodies of the victims were released to funeral homes chosen by the families. He also stated Mr. Heslin had the opportunity to hold his son.
28. In addition, the funeral services in which the bodies were in the possession of the parents were widely reported in the press.¹ Several of these services had open caskets.²
29. It was widely reported in the media that Connecticut Governor Dannel Malloy personally observed the body of a Sandy Hook victim during one of the services.³
30. There is no reasonable basis to conclude that Mr. Heslin would have been unable to hold his son and see his wound merely because the initial identification was performed by photograph, and there is no doubt that he did in fact bury his son.
31. Later in the InfoWars video, Mr. Shroyer asserted that there was a "contradiction in the narrative." This was clearly Mr. Shroyer's own conclusion.
32. Mr. Shroyer also callously stated: "You would remember if you held your dead kid in your hands with a bullet hole. That's not something that you would just misspeak on." Not only is this statement sickening, but it further reinforces that Mr. Shroyer has taken his own position.

¹ <https://patch.com/connecticut/newtown/police-no-motive-emerging-in-newtown-school-shooting>;
<https://abcnews.go.com/US/photos/sandy-hook-moment-silence-18026580/image-18045101>

² https://www.washingtonpost.com/politics/funerals-for-newtown-massacre-victims-begin/2012/12/17/ffd0a130-486d-11e2-820e-17eefac2f939_story.html

³ <https://www.nhregister.com/connecticut/article/CONNIE-SCHULTZ-In-open-casket-boy-s-body-shows-11399159.php>; <https://forward.com/opinion/168707/wrestling-with-details-of-noah-pozners-killing/>

33. Later in the video, when speaking about Mr. Heslin's statements to Megyn Kelly, Mr. Shroyer stated: "Here is an account from the coroner that does not corroborate with that narrative." Again, Zero Hedge was not mentioned or attributed. Mr. Shroyer was presenting his own assertion that Mr. Heslin's interview is contradicted by the coroner. However, this is false. Mr. Heslin's interview is not contradicted by the coroner.
34. Mr. Shroyer also showed a video of an interview with Sandy Hook parents Chris and Lynn McDonnell to support his claim that the parents were not allowed access to their children, but as discussed below, this interview has been deceptively edited.
35. When ending his segment, Mr. Shroyer stated: "Will there be a clarification from Heslin or Megyn Kelly? I wouldn't hold your breath. [Laugh]." Mr. Shroyer's comment further reinforces InfoWars' endorsement of the truth of the allegations.
36. InfoWars should have known that it was reckless to endorse the truth of the statements made by a dubious anonymous blog. Indeed, the evidence shows that InfoWars was not only aware of Zero Hedge's dubious nature, but it was actively collaborating with Zero Hedge.

ZERO HEDGE

37. I have personal professional knowledge about the website "Zero Hedge." Researchers at Snopes continuously debunked claims made in Zero Hedge articles.
38. Nearly everything about Zero Hedge calls its reliability into question.
39. Zero Hedge is anonymous blog. Zero Hedge has no named editor-in-chief, and its articles are submitted by anonymous authors. The publication has no listed address nor phone number. Its website is registered anonymously.
40. The article in question purports to be authored by an anonymous individual(s) using the name "ZeroPointNow."
41. This anonymous individual(s) also appears to be a contributor to an anonymous website called "iBankCoin.com," a cryptocurrency website which likewise traffics fake news items.
42. The article in question contains a link at the bottom of the page for the YouTube channel for "ZeroPointNow," registered under the YouTube username "ibankcoin."⁴ However, the YouTube account page states: "This account has been terminated for violating YouTube's Community Guidelines."

⁴ https://www.youtube.com/subscription_center?add_user=ibankcoin

43. Zero Hedge began in 2009 as an anonymous blog focusing on Wall Street and investment rumors. Even from the beginning, its content consisted of unsourced hearsay and conspiracy theories about Wall Street.
44. However, over the past several years of my work, I have witnessed the website become increasingly flagrant as a producer of fake information and malicious accusations.
45. Zero Hedge's history of publishing egregiously fake information had been well-documented since at least the time of the 2016 presidential election.
46. A small selection of recent erroneous reporting and intentional agitation by Zero Hedge includes:
 - Falsely reporting that California Governor Jerry Brown had made it illegal to take a shower and do laundry on the same day.⁵
 - Publishing false information about non-existent restrictions on the use of solar panels in Florida.⁶
 - Publishing forged documents from the notorious website 4chan targeting French presidential candidate Emmanuel Macron.⁷
 - Falsely claiming anti-Trump protesters were bused into cities after the 2016 election.⁸
 - Falsely claiming that the Seattle Police Department had begun confiscating guns without a warrant or any crime being committed.⁹

⁵ <https://www.snopes.com/fact-check/california-laundry-and-shower/>; <https://www.zerohedge.com/news/2018-06-03/its-now-against-law-california-shower-and-do-laundry-same-day>

⁶ <https://www.snopes.com/fact-check/is-it-illegal-florida-power-home-solar-storm/>;
<https://www.zerohedge.com/news/2017-09-18/florida-you-cant-use-your-own-solar-panels-crisis>

⁷ <https://www.mediamatters.org/blog/2017/05/05/fake-news-and-alt-right-are-pushing-forged-documents-aid-marine-le-pen-frances-election/216305>; <https://www.zerohedge.com/news/2017-05-03/documents-indicate-emmanuel-macron-may-be-engaging-tax-evasion>

⁸ <https://www.snopes.com/fact-check/anti-trump-protesters-bused-into-austin/>;
<https://www.zerohedge.com/news/2016-11-13/blocks-anti-trump-protest-buses-caught-tape>;

⁹ <https://www.snopes.com/fact-check/seattle-police-confiscate-mans-guns-without-warrant/>;
<https://www.zerohedge.com/news/2018-03-06/seattle-police-begin-gun-confiscations-no-laws-broken-no-warrant-no-charges>

- Publishing false information to suggest that former President Obama was secretly behind a Hawaii federal judge’s ruling that blocked President Trump’s Muslim ban.¹⁰
- Publishing false information to suggest that a Bernie Sanders activist had been murdered in a coverup.¹¹
- Falsely claiming that 4chan users made up what is now known as the “pee tape” portion of the Trump dossier.¹²
- Falsely claiming that former Attorney General Loretta Lynch was “busted” for secretly using an alias to communicate with DOJ officials.¹³
- Publishing false information to suggest Jason Kessler, organizer of the white supremacist rally in Charlottesville, VA, was a liberal spy with past employment at CNN.¹⁴
- Falsely claiming that the participants in the Charlottesville protests were paid actors.¹⁵
- Reporting that the Defense Department would conduct a national blackout drill on the day protest group “Antifa”

¹⁰ <https://www.snopes.com/news/2017/03/21/ijr-obama-conspiracy-theory/>;
<https://www.mediamatters.org/research/2017/03/16/new-alt-right-theory-obama-was-secretly-behind-judicial-halt-trumps-muslim-ban/215712>; <https://www.zerohedge.com/news/2017-03-17/online-observers-accuse-obama-improper-intervention-hawaii-immigration-ruling>

¹¹ <https://www.snopes.com/news/2016/08/10/4th-mysterious-death-connected-to-the-dnc/>;
<https://www.zerohedge.com/news/2016-08-05/lead-attorney-anti-clinton-dnc-fraud-case-mysteriously-found-dead>

¹² <http://nymag.com/selectall/2017/01/4chan-really-wants-to-take-credit-for-trump-russia-rumors.html>;
<https://www.zerohedge.com/news/2017-01-11/how-4chan-mcfooled-john-mccain-buzzfeed-and-cia-believing-trumps-golden-showers>

¹³ <https://www.mediamatters.org/blog/2017/08/07/Pro-Trump-media-and-Russian-bots-push-self-debunking-story-attacking-Obama-attorney-genera/217541>; <https://www.zerohedge.com/news/2017-08-05/loretta-lynch-communicated-doj-officials-using-grandmothers-name-alias-0>

¹⁴ <https://www.snopes.com/news/2017/08/17/jason-kessler-soros-deep-state-plant/>;
<https://www.zerohedge.com/news/2017-08-14/report-%E2%80%98unite-right%E2%80%99-organizer-jason-kessler-was-occupy-movement-obama-supporter-8-m>

¹⁵ <https://www.factcheck.org/2017/08/counterprotesters-paid-charlottesville/>;
<https://web.archive.org/web/20180327154606/https://www.zerohedge.com/news/2017-08-16/why-was-crowd-hire-company-recruiting-25-hour-political-activists-charlotte-last-wee>

was supposedly planning to hold a violent revolution, both of which claims were false.¹⁶

- Falsely claiming that Coretta Scott King thanked Jeff Sessions for his help.¹⁷
- Publishing false information to suggest that the Clintons murdered a former Haitian government official.¹⁸
- Publishing false information to suggest there was a second shooter at the Las Vegas massacre.¹⁹

47. In the course of my work at Snopes, I observed that nearly all of these fake new items were also spread by Info Wars.

48. In addition, I have reviewed seven articles on InfoWars.com which were published under the author by-line “Zero Hedge” in just the two weeks leading up to Mr. Shroyer’s June 26, 2017 video.²⁰ Two such examples are shown below:

¹⁶ <https://www.snopes.com/fact-check/dod-drill-coincide-november-demonstrations/>;
<https://www.zerohedge.com/news/2017-10-26/dod-plans-solar-storm-based-national-blackout-drill-during-antifa-protests-november>; <http://time.com/5008829/antifa-november-4-rumors/>

¹⁷ <https://www.snopes.com/fact-check/coretta-scott-king-thanked-jeff-sessions/>;
<https://www.zerohedge.com/news/2017-02-08/elizabeth-warren-silenced-again-after-video-surfaces-mlks-wife-thanking-senator-sess>

¹⁸ <https://www.snopes.com/fact-check/klaus-eberwein/>; <https://www.zerohedge.com/news/2017-07-16/haiti-official-who-exposed-clinton-foundation-found-dead>

¹⁹ <https://www.snopes.com/fact-check/second-gunman-shoot-fourth-floor-mandalay-bay/>;
<https://www.zerohedge.com/news/2017-10-03/was-there-second-shooter-vegas>

²⁰ <https://www.infowars.com/citi-warns-inversion-looms-as-treasury-yield-curve-slumps-to-8-month-lows/>;
<https://www.infowars.com/heres-the-real-reason-tesla-makes-no-money/>; <https://www.infowars.com/unable-to-pay-bills-illinois-sends-dear-contractor-letter-telling-firms-to-halt-road-work-on-july-1/>;
<https://www.infowars.com/trump-reports-income-of-594-million-net-worth-of-at-least-1-1-billion/>;
<https://www.infowars.com/scientists-fear-supervolcano-eruption-as-earthquake-swarm-near-yellowstone-soars-to-800/>; <https://www.infowars.com/mcdonalds-is-replacing-2500-human-cashiers-with-digital-kiosks-here-is-its-math/>;
<https://www.infowars.com/59-of-brits-agree-with-marxist-corbyn-empty-luxury-london-flats-should-be-used-to-house-homeless/>

https://www.infowars.com/trump-reports-income-of-594-million-net-worth-of-at-least-1-1-billion/

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TRUMP REPORTS INCOME OF \$594 MILLION, NET WORTH OF AT LEAST \$1.1 BILLION
Disclosure form Trump's first since taking office...

Zero Hedge - JUNE 17, 2017




TODAY ON THE ALEX JONES SHOW

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https://www.infowars.com/scientists-fear-supervolcano-eruption-as-earthquake-swarm-near-yellowstone-soars-to-800/

THE ALEX JONES RADIO SHOW
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RADIO SHOW NEWS STORE BREAKING NEWS CONTACT **ON DEMAND** **SUBSCRIBE TO THE BANNED SHOW** **NEWSLETTER**

SCIENTISTS FEAR "SUPERVOLCANO" ERUPTION AS EARTHQUAKE SWARM NEAR YELLOWSTONE SOARS TO 800
Billions could die

Zero Hedge - JUNE 29, 2017



TODAY ON THE ALEX JONES SHOW

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49. From my personal knowledge, I have seen InfoWars and Zero Hedge, along with several other fake news websites, forge a cooperative relationship in which they publish, promote and endorse each other's content.
50. This pattern of amplification and endorsement is a key part of how fake news spreads.
51. The June 26, 2017 InfoWars video was not merely a report on a third-party's allegations. Rather, InfoWars adopted the allegations of a dubious anonymous website and reasserted

them as their own. InfoWars presented the allegations as true, and it made statements and played deceptive video edits which were meant to convince its viewers that Mr. Heslin's statements were not possible.

52. No competent journalist would republish allegations from an anonymous message on Zero Hedge without corroborating the accuracy of the allegations. However, in this case, it is clear that InfoWars not only understood Zero Hedge's reputation, but it was actively collaborating with Zero Hedge to spread fake news and dangerous conspiracy claims.

INTENTIONAL DECEPTION

53. It is my opinion from the context of the video and the surrounding factual circumstances that Mr. Shroyer was being intentionally deceptive in the video segment. This is not merely a case where Mr. Shroyer recklessly disregarded the truth. Rather, it is clear from the source material and the underlying facts that Mr. Shroyer was acting deceptively.
54. The allegation made by Mr. Shroyer was outlandish, inherently improbable, and obviously dubious.
55. The circumstances also show that Mr. Shroyer knew what he was claiming was false, or that he had serious doubts about its truth, based on the original Zero Hedge report and based on how he used the news footage in his segment.
56. Mr. Shroyer used contemporary press coverage in a misleading and dishonest way, with the clear goal of misleading his viewers.
57. I have located a copy of the same interview with Dr. Carver which InfoWars used in the video segment with Mr. Shroyer.²¹ There is additional footage from the interview -- not shown by InfoWars -- which directly contradicts the assertion made by Mr. Shroyer. I have included this footage on the USB flash drive enclosed with this affidavit.
58. At 11:03 in the video, a reporter asks Dr. Carver if there was a protocol as to the order he did the medical examinations. Dr. Carver states that it was his "goal was to get the kids out and available to the funeral directors first, just for, well, obvious reasons."
59. At 13:27 in the video, a reporter asks Dr. Carver if "all the children's bodies have been returned to the parents or mortuaries." Dr. Carver responds, "I don't know. The mortuaries have all been called." The reporter asks, "But they're ready to be released at this time?" Dr. Carver responds, "As of 1:30, the paperwork has been done. The usual drill is that the funeral homes call us, and as soon as the paperwork is done, we call them back. That process was completed for the children at 1:30 today."
60. I have also located a transcript on the CNN website of Anderson Cooper's interview with Sandy Hook parents Chris and Lynn McDonnell. Mr. Shroyer used a clip of the interview to suggest that the McDonnell's were not allowed access to their child prior to burial.

²¹ <https://www.youtube.com/watch?v=k3NS1ILo6As>

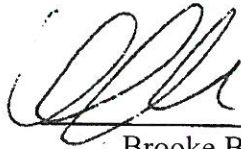
61. The use of the clip in this way was dishonest. The transcript shows that the InfoWars video clip cut off the end of the Mrs. McDonnel's answer. She stated, "And I had questioned maybe wanting to see her, *but then I thought, she was just so, so beautiful, and she wouldn't want us to remember her looking any different than her perfect hair bow on the side of her beautiful long blond hair.*"²²
62. In the interview, Mr. McDonnel stated, "But when we left the room, it was certainly so hard to leave her because that would be the last time that we would be able to be with her."²³ It is clear that the parents had to the opportunity to see their child's body, yet they chose not to do so.
63. It also clear that InfoWars and Mr. Shroyer used a deceptively edited copy of the interview to give the appearance that the parents were not allowed to see their daughter.
64. As noted above, there is also an abundance of primary sources that report the families having access to their children's bodies prior to burial.
65. There was no reasonable basis to conclude that it was impossible for Mr. Heslin to have held his son's body and seen his wound in connection with burying his son.
66. The only way a journalist could support such a conclusion is by intentionally distorting the evidence and Mr. Heslin's statements. The source material demonstrates that is exactly what occurred in this case.
67. Furthermore, in the Zero Hedge blog post mentioned by Mr. Shroyer, the author claims that Dr. Carver told the media that "the parents of the victims weren't allowed to see their children's bodies." But in the Zero Hedge blog post, the author later admits that "it's entirely possible that Mr. Heslin had access to his son after the shooting." Mr. Shroyer's video contains no such statements.
68. The surrounding circumstances show that Mr. Shroyer, Mr. Jones and InfoWars had an injurious motive. The broadcast was clearly an attack on Mr. Heslin, and to a lesser extent, on Megyn Kelly as well. Shortly prior to this video, Mr. Heslin had appeared on Ms. Kelly's show and pleaded with the public not to believe Mr. Jones' false statements about Sandy Hook.
69. By speaking out against Mr. Jones' claims that the families were actors, Mr. Heslin clearly provoked a retaliation from InfoWars in the form of Mr. Shroyer's video.
70. It is also clear that Mr. Shroyer's video segment was part of InfoWars' ongoing effort to support and justify its vile five-year lie that the Sandy Hook shooting was staged.

²² <http://transcripts.cnn.com/TRANSCRIPTS/1212/18/acd.02.html>

²³ *Id.*

- 71. Over the past five years, I have watched in horror along with the rest of America as InfoWars has repeatedly and systematically distorted facts and misrepresented video footage in order to make false claims about Sandy Hook.
- 72. InfoWars' past conduct with respect to Sandy Hook is clear evidence that its statements about Mr. Heslin were made in bad faith and with utter contempt for the truth.

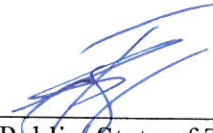
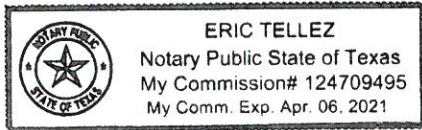
FURTHER YOUR AFFIANT SAYETH NOT



Brooke Binkowski

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

SWORN to and SUBSCRIBED before, the undersigned authority, on the 21st day of August, 2018, by Ms. Brooke Binkowski.



Notary Public, State of Texas

My commission expires: 4-6-21