

## STATEMENT OF FACTS

Your affiant, Katherine Pattillo is a Special Agent with the Federal Bureau of Investigation and is presently tasked with investigating criminal activity in and around the Capitol grounds. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

According to video footage from the U.S. Capitol, the defendants, Kevin Seefried and Hunter Seefried entered the Senate Building through a broken window at approximately 2:13 p.m. on January 6, 2021. Shortly thereafter, Defendant Kevin Seefried was photographed holding a Confederate Battle flag inside the Capitol Building (Exhibit A).

While in the building, both defendants were part of a larger group of individuals who verbally confronted several U.S. Capitol police officers for approximately 15 minutes. During this time, video footage from the U.S. Capitol Police shows Hunter Seefried using a phone to take a selfie photograph or video at approximately 2:29 p.m. The Defendants appear to depart the Capitol at approximately 2:36 p.m. from the Senate Carriage Door. At no time were they authorized to be inside the U.S. Capitol complex.

Defendants Kevin Seefried and Hunter Seefried were identified after the FBI received a report from a coworker of Hunter Seefried relaying that Hunter Seefried had bragged about being in the Capitol with his father on January 6, 2021. The reporting individual confirmed that Hunter Seefried was visible in a Metropolitan Police Department flier depicting individuals who breached the Capitol Building's security; he has a moustache and is wearing a black hat and black jacket. (Exhibit B). The FBI reviewed Kevin Seefried's driver's license photo and it matched the image of the individual holding the Confederate Battle Flag. The FBI was also able to confirm that Kevin Seefried is Hunter Seefried's father.

On January 12, 2021, both Kevin Seefried and Hunter Seefried participated in voluntary and separate interviews with the FBI. Both defendants confirmed their participation in the events at the Capitol as discussed herein. Kevin Seefried also explained that he brought the Confederate Battle flag seen in Exhibit A to the District of Columbia from his home in Delaware where it is usually displayed outside. Defendant Kevin Seefried told law enforcement that he had traveled with his family from Delaware to the District of Columbia to hear President Trump speak and that he and Hunter Seefried participated in a march from the White House to the Capitol led by an individual with a bull horn.

Finally, I have reviewed video footage posted to Twitter which shows Hunter Seefried punching out glass in a window in the Capitol complex after people adjacent to him in the crowd broke it with a wooden 2 x 4. Kevin Seefried confirmed to law enforcement agents that Hunter Seefried was asked by an individual unknown to the Seefrieds to assist with clearing the window because Hunter Seefried was wearing gloves. After Hunter Seefried complied, people from the crowd outside, to include the Seefrieds, were able to access the interior of the Capitol Building. Screenshots from the video footage is attached (Exhibit C).

Based on the foregoing, your affiant submits that there is probable cause to believe that Kevin Seefried and Hunter Seefried violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions.

Your affiant submits that there is also probable cause to believe that Kevin Seefried and Hunter Seefried violated 40 U.S.C. § 5104(e)(2)(D) which makes it a crime to utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress.

Based on the foregoing, your affiant submits that there is probable cause to believe that Hunter Seefried violated 18 U.S.C. § 1752(a)(4), which makes it a crime to knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; or attempt or conspire to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that Hunter Seefried violated 40 U.S.C. § 5104(e)(2)(F) which makes it a crime to engage in an act of physical violence, which included any damage to, or destruction of, real or personal property, in Grounds or any of the Capitol Buildings.

Your affiant submits that there is also probable cause to believe that Hunter Seefried violated 18 U.S.C. § 1361 which makes it a crime to willfully injure or commit any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, or attempts to commit any of the foregoing offenses.

Your affiant submits there is also probable cause to believe that Kevin Seefried violated 40 U.S.C. § 5104(e)(2)(G) which makes it a crime to willfully and knowingly parade, demonstrate, or picket in any of the Capitol Buildings.



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Katherine Pattillo  
Special Agent  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 13<sup>th</sup> day of January 2021.

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U.S. MAGISTRATE JUDGE

Exhibit A



Exhibit B

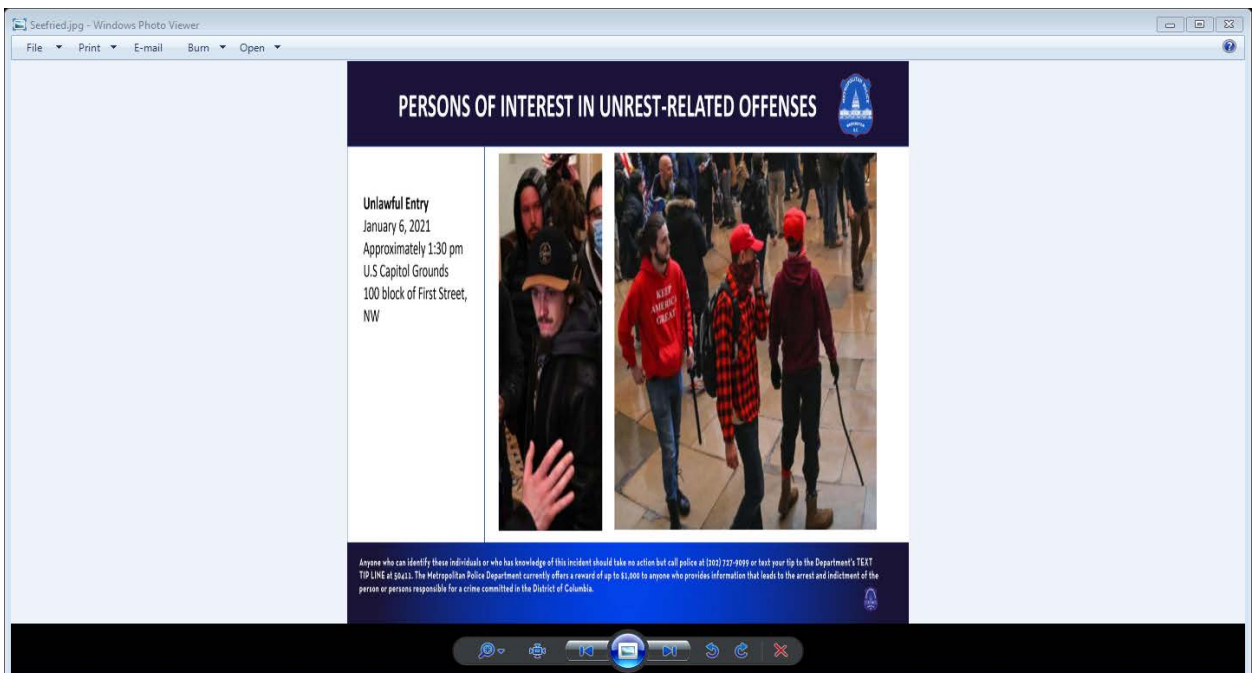


Exhibit C



