

## STATEMENT OF FACTS

Your affiant, Brian Dinkel, is a Special Agent assigned to the Federal Bureau of Investigation Baltimore Field Office, Dover Resident Agency. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. 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 were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also 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 were 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 around 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.

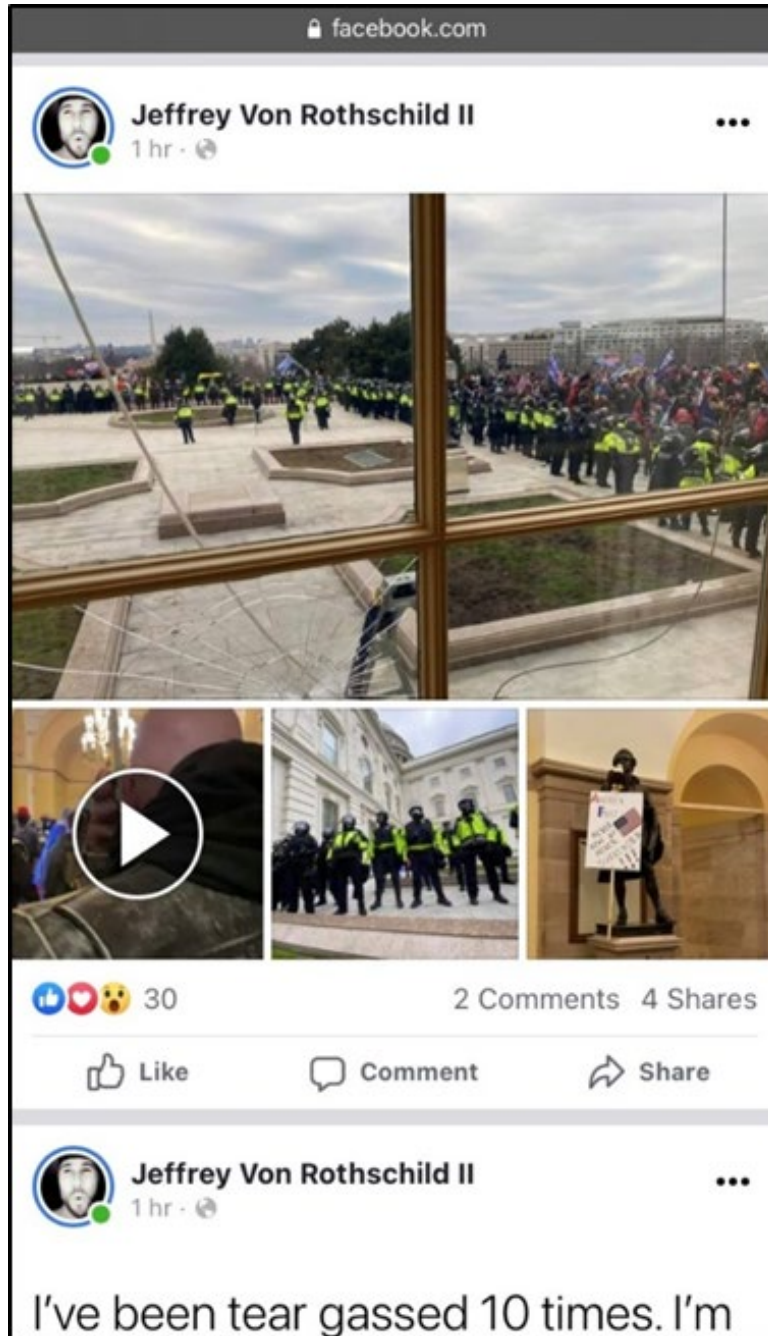
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be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

On or about January 7, 2021 the FBI began to receive information from tipsters identifying JEFFREY SCHAEFER (hereinafter SCHAEFER) as someone who was on U.S. Capitol grounds and inside the Capitol Building on January 6, 2021. An anonymous tipster (hereinafter Person 1) identified SCHAEFER by name and was the first to provide this information about SCHAEFER. Person 1 also provided images that the tipster stated SCHAEFER posted to his Facebook account under the username “Jeffrey Von Rothschild II” (hereinafter the Facebook Account). The Images 1 and 2 are screenshots provided by Person 1:

Image 1.



Image 2.



The FBI obtained a search warrant for the Facebook Account. As of February 12, 2021, the telephone number associated with the Facebook Account ended with -5090. According to Verizon subscriber records, as of February 12, 2021, the telephone number ending with -5090 was assigned to JEFFREY SCHAEFER, Island Farm Lane, Milton, Delaware. Public records also associated JEFFREY SCHAEFER with the same address.

Facebook provided images from the Facebook Account, including Images 3 and 4. Image 3 shows SCHAEFER wearing an olive-colored baseball-style hat with the logo “REALTREE,” a sporting goods company, written on the front. Image 3 also shows SCHAEFER holding what appears to be a grey mobile device.

Image 3.



Image 4 shows a particular officer (circled) from the Metropolitan Police Department (MPD). The FBI obtained a screenshot from the time-stamped body worn camera (BWC) video from that officer for January 6. Image 5 is a screenshot of SCHAEFER from that officer’s BWC as SCHAEFER appeared on the grounds of the U.S. Capitol at approximately 3:19 p.m. on January 6, 2021.

Image 4.



Image 5.



Image 5 shows SCHAEFER wearing the same “REALTREE” baseball-style hat and carrying the same grey mobile device at the Capitol on January 6 that he had in his possession in Image 3 that he posted to the Facebook Account. He was also wearing a maroon jacket with white lettering and a blue and white face mask.

A review of footage from January 6, 2021, obtained from the U.S. Capitol Police (USCP) that contained images of SCHAEFER revealed that he was inside the U.S. Capitol Building for approximately 28 minutes. Image 6 is a screenshot of SCHAEFER entering the Capitol through a broken Senate Wing window at approximately 2:50 p.m. EST.

Image 6.



Image 7 is a screenshot from a video that captured SCHAEFER inside the Capitol as he and others appeared to be engaging in a chant.

Image 7.

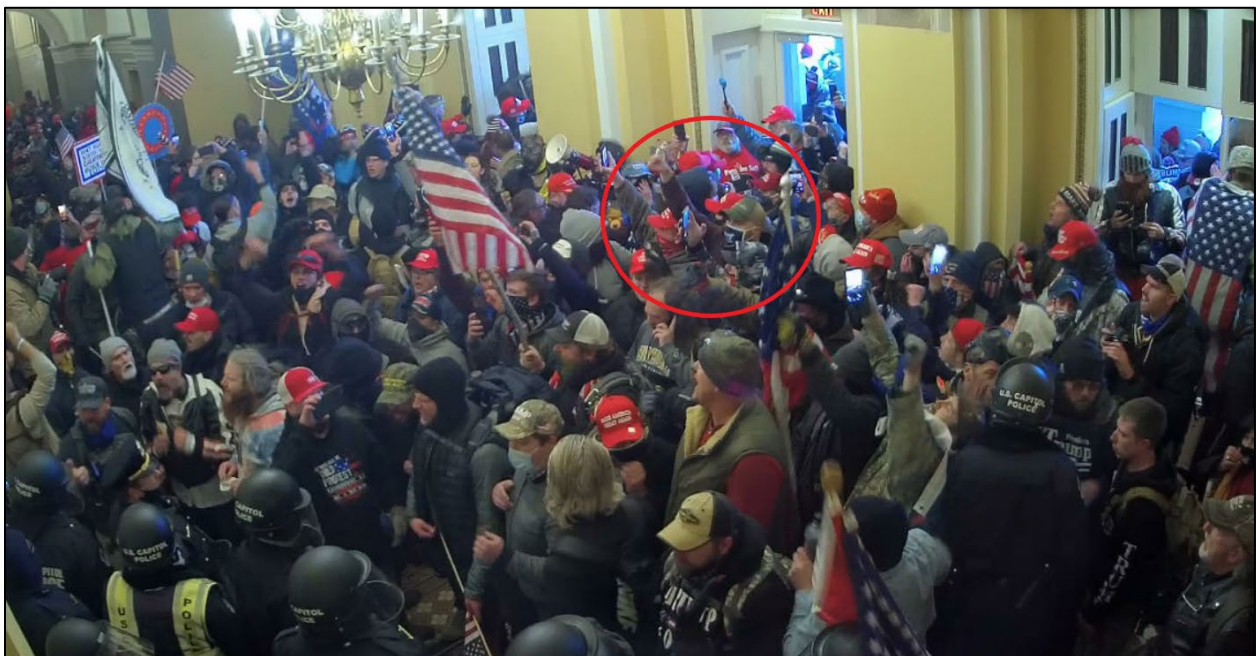
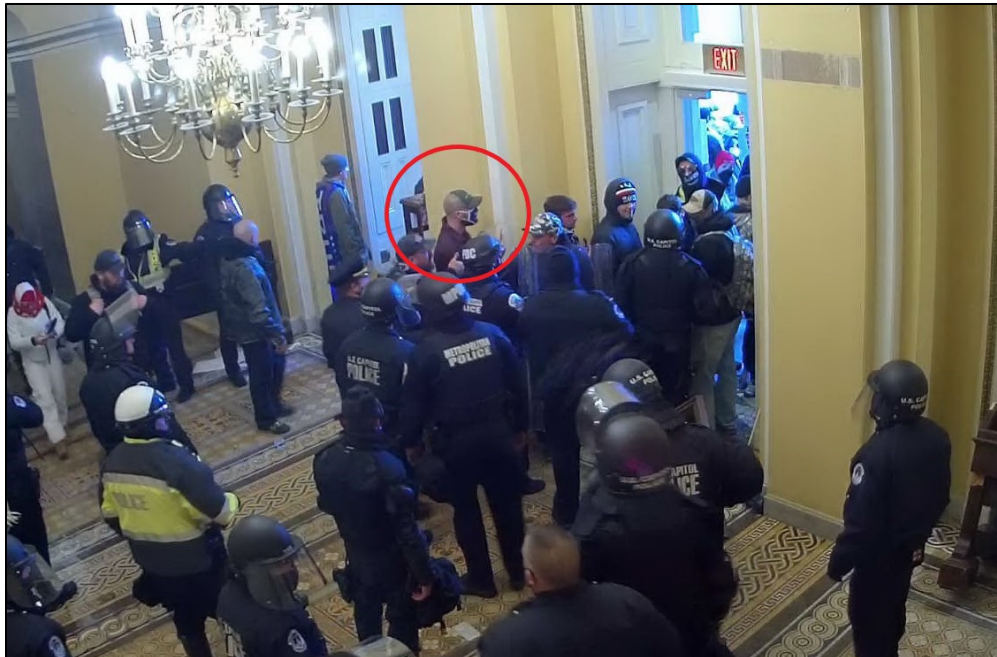


Image 8 is a screenshot from a video that captured SCHAEFER exiting the Capitol Building through a Senate Wing door at approximately 3:18 p.m. EST.

Image 8.

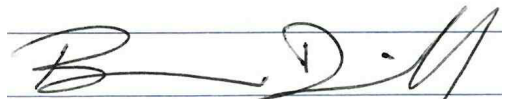


Also according to the Verizon records, the telephone associated with the telephone number ending with -5090 was identified as having utilized a cell site consistent with providing service to the geographic area that includes the interior of the United States Capitol Building on January 6, 2021, in and around the time of the images of SCHAEFER captured at the Capitol on that date.

Based on the foregoing, your affiant submits that there is probable cause to believe that JEFFREY SCHAEFER 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; 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; or attempts or conspires 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 JEFFREY SCHAEFER violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) 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; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

A handwritten signature in black ink, appearing to read 'B. Dinkel', is written over a horizontal line.

Brian Dinkel  
Special Agent  
FBI Baltimore

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
by telephone, this 11th day of January 2022.

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G. MICHAEL HARVEY  
U.S. MAGISTRATE JUDGE