

## STATEMENT OF FACTS

Your affiant, John McBrien, is a Special Agent assigned to the Federal Bureau of Investigation ("FBI") Atlanta Field Office. In my duties as a Special Agent, I am assigned to the Joint Terrorism Task Force ("JTTF") in Chamblee, Georgia. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent with the FBI, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of violations 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

scores of individuals inside the U.S. Capitol building without authority to be there, in violation of Federal laws. Photographs and videos of several of these persons were disseminated via social media and other open-source online platforms.

The FBI's investigation into the criminal activity in and around the Capitol grounds on January 6, 2021 determined that Jonathan Davis Laurens, of Duluth, Georgia, was one of the individuals who illegally entered the Capitol on January 6, 2021. At the time, Laurens was wearing a bright orange winter hat, glasses, a black face mask that at times partially obscured his face, and a "Trump 2020: No More Bullshit" flag as a cape around his neck. Laurens was captured in several videos inside the Capitol with a second individual wearing a bright yellow shirt, green jacket, black facemask and a white cowboy hat that said, "Team Trump."

On June 30, 2021, your affiant arrested Laurens at his residence in Georgia for unlawfully entering the U.S. Capitol on January 6, 2021. During an interview that morning, Laurens advised Agents that he entered the Capitol with John GOULD. During the interview, a man arrived at Laurens's residence and spoke with an FBI Agent to inquire as to why Laurens was not at work that morning.

Following the interview with Laurens, Laurens gave your affiant consent to use his phone to contact his supervisor at work. Upon opening Laurens's phone, your affiant observed incoming phone calls from a contact saved in Laurens's phone as "John Gould." Your affiant spoke on the phone with Laurens's supervisor at work and she advised your affiant that Laurens's co-worker, John GOULD, had gone to Laurens's residence that morning to check on Laurens, given Laurens's absence at work.

Pursuant to a search warrant issued in the United States District Court for the Northern District of Georgia, Agents searched Laurens's cell phone. During a review of Laurens's phone content, Agents observed a text message sent from phone number ending -2873<sup>1</sup>, a number saved in Laurens's phone as "Gould John," to Laurens the morning of June 30, 2021, wherein GOULD asked Laurens, "Where yat?"

T-Mobile records confirm phone number ending -2873 is subscribed to John GOULD of Duluth, Georgia.

During further review of Laurens's phone content, Agents identified a photograph in a text message sent on January 6, 2021, to Laurens from the contact saved as "Gould John" (phone number ending -2873). The photograph is of GOULD taking a "selfie" in front of a mirror, as depicted below:

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<sup>1</sup> This filing references only the last four digits of the phone number due to the public nature of this filing.



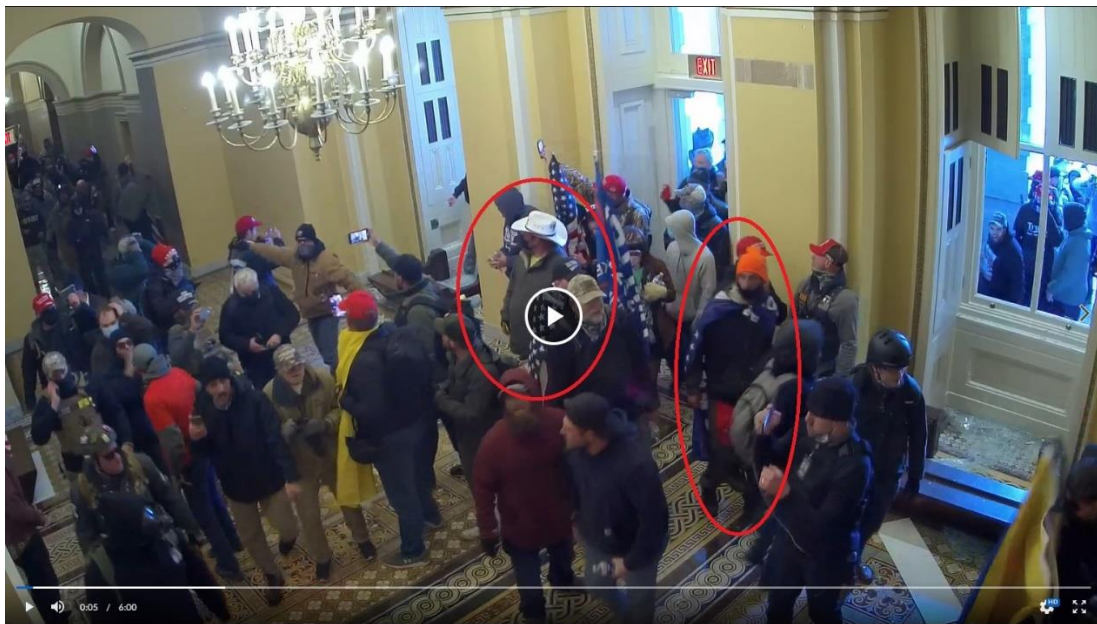
Accompanying the photo was a text message from the “Gould John” contact asking, “Can you see me in the mirror?”

Based upon your affiant’s review of the photo and the interior of the U.S. Capitol, it appears this photograph was taken in the Rayburn Reception Room in the U.S. Capitol. The image below depicts a comparison photo of the Rayburn Reception Room from the Architect of the Capitol for the same area depicted in GOULD’s photo. <https://history.house.gov/Exhibitions-and-Publications/Capitol/Rayburn-Reception-Room/> (last visited May 10, 2021).





Based upon your affiant's review of Capitol surveillance footage and open-source recordings of the incident, GOULD entered the Capitol building with Laurens, in the bright orange winter hat, through the Senate Wing Doors at approximately 2:15 pm on January 6, 2021, as pictured below:



On January 6, 2021, GOULD was wearing a bright yellow shirt, green jacket, black facemask and a white cowboy hat that said, "Team Trump," as pictured below:



Upon entering the Capitol, GOULD turned right and proceeded in the direction of the Capitol Crypt. From the Crypt, GOULD proceeded into the Small House Rotunda, as depicted below:

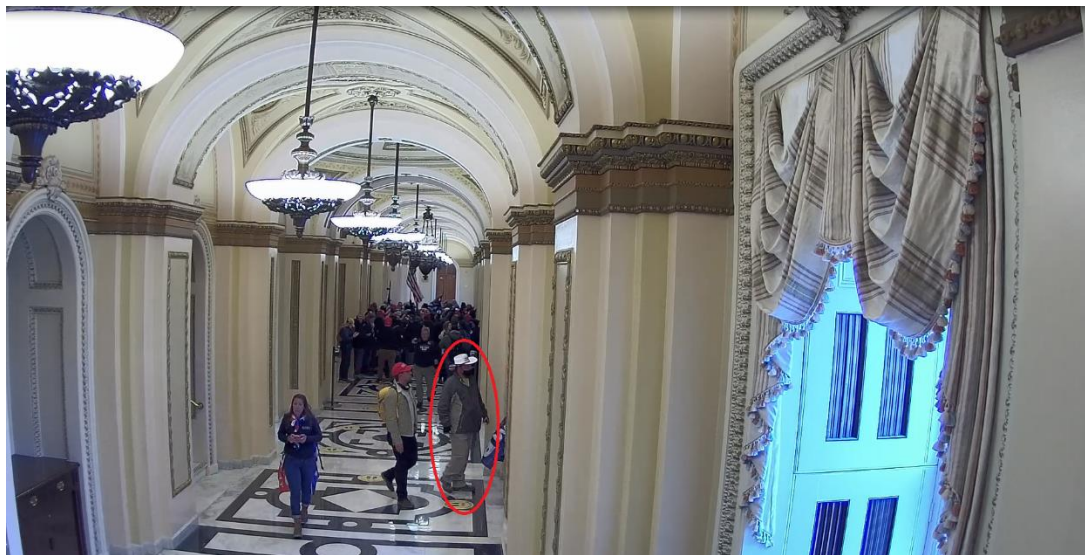


GOULD then proceeded through Statuary Hall to the Statuary Hall Connector outside the House Chamber, where members of the cohort attempted to force their way into the House Chamber. GOULD, in the cowboy hat, is pictured below in the Statuary Hall Connector with Laurens in the orange winter hat:

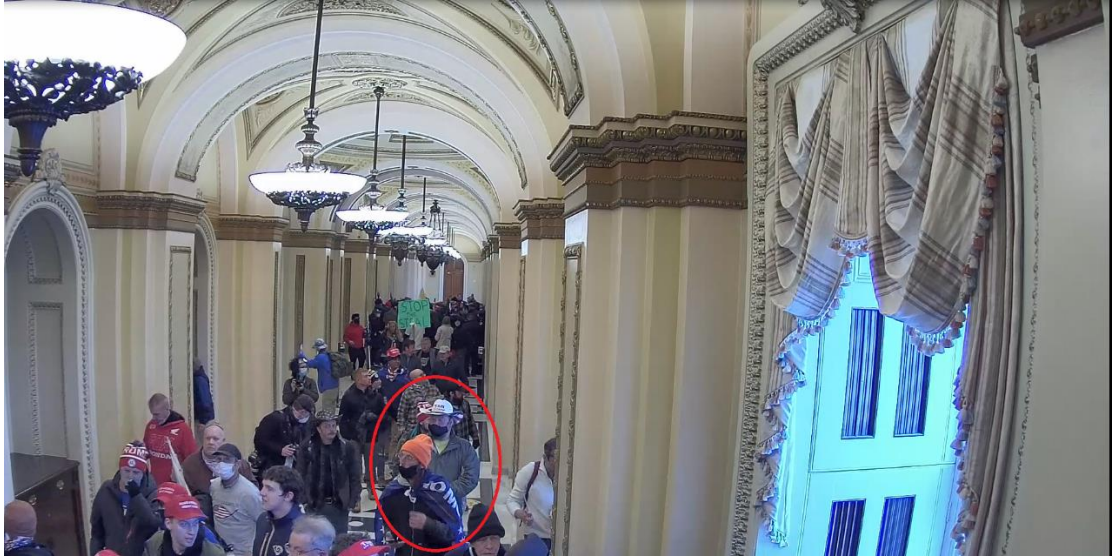




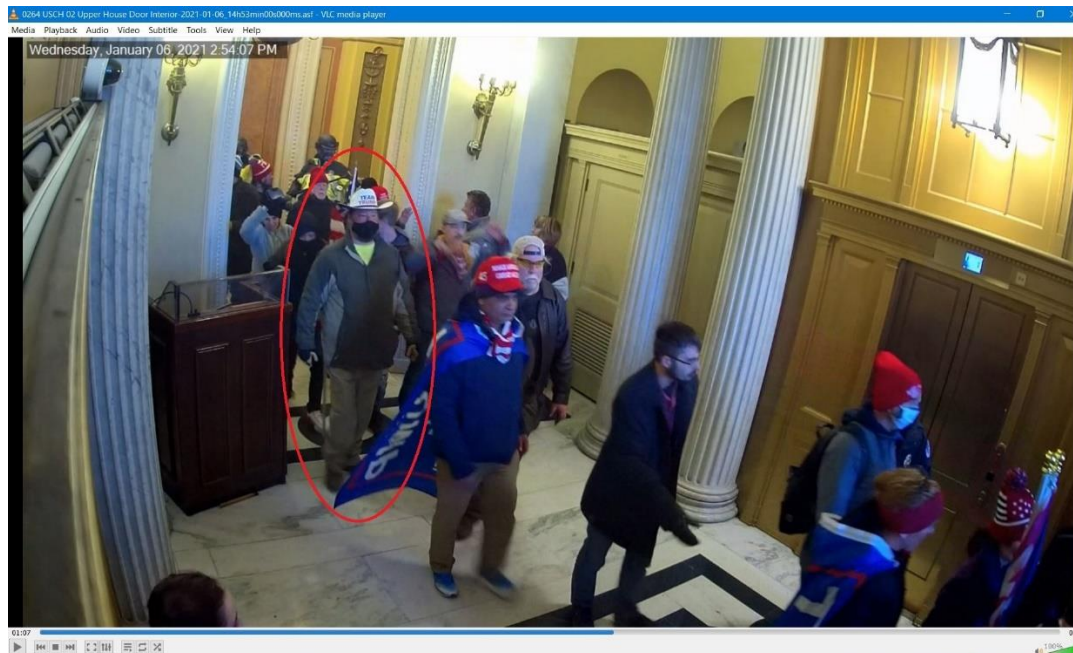
GOULD turned left and proceeded down a House Corridor with Laurens directly in front of him, where at approximately 2:40 pm, GOULD turned left and entered the Rayburn Reception Room, as depicted below:

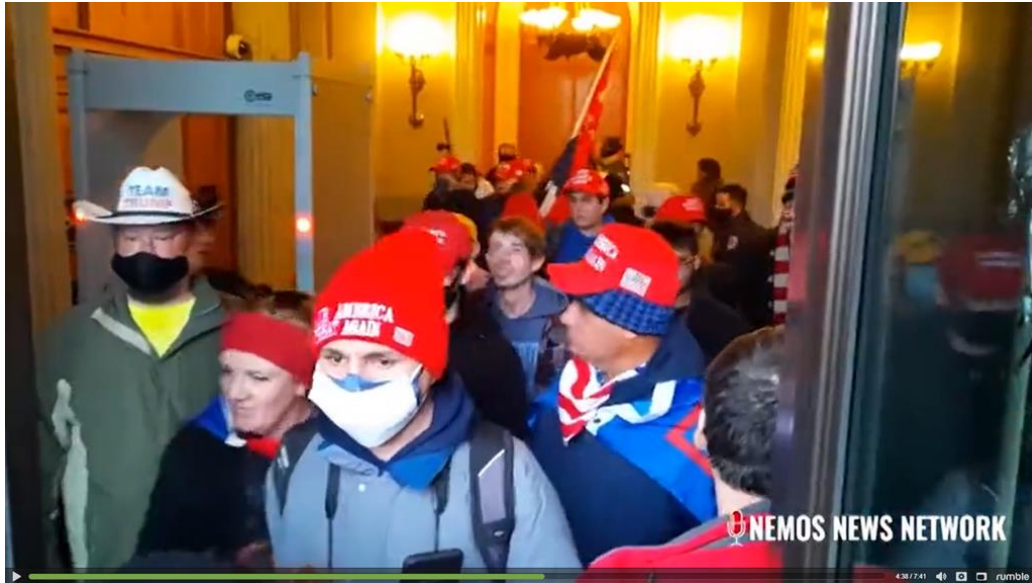


GOULD exited the Rayburn Reception Room with Laurens at approximately 2:41 pm, as depicted below:



GOULD exited the Capitol through the Upper House Doors at approximately 2:54 pm, as depicted below:





An Agent who had personal contact with GOULD at Laurens's residence on June 30, 2021, confirmed that the person in the cowboy hat in the picture above is the same person who arrived at Laurens's apartment the morning of Laurens's arrest to inquire as to why Laurens wasn't at work. Laurens's supervisor at work confirmed that the person who went to Laurens's residence the morning of June 30, 2021 to check on Laurens's absence was John GOULD.

On March 10, 2022, Agents conducted physical surveillance at GOULD's place of employment. At approximately 6:55 am, a truck, which according to Georgia vehicle registration records is registered to GOULD, arrived at the office. Agents observed a male exit the driver's seat. The male was wearing a coat that appeared to be consistent with the coat GOULD was wearing in the Capitol on January 6. Below, on the left, is a surveillance photograph from March 10, 2022, and on the right is a capture of a video Laurens filmed at the Ellipse on January 6 depicting GOULD without his mask.





On March 10, 2022, Agents observed Laurens arrive at the office and Laurens and GOULD proceeded together to a convenience store. Inside the convenience store, an Agent observed GOULD and took the following photo:

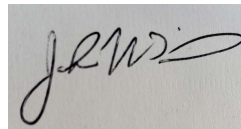


An FBI Task Force Officer (TFO) who observed GOULD at Laurens's apartment on June 30, 2021 and observed the man in GOULD's truck and with Laurens on March 10, 2022 has confirmed they are the same individual. That Officer also confirmed that the individual in the cowboy hat on January 6 in the photos above is the same person from Laurens's apartment on June 30, 2021 and from surveillance on March 10, 2022.

On March 10, 2022, your affiant also observed the man, identified as GOULD, exit GOULD's truck. Your affiant then observed GOULD and Laurens enter a convenience store together. Based on a comparison of the individual in the pictures and videos from the Capitol referenced above to the man, identified as GOULD, captured in photos from physical surveillance on March 10, 2022, your affiant submits that they are the same individual.

Based on the foregoing, your affiant submits that there is probable cause to believe that John GOULD 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; 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 John GOULD violated 40 U.S.C. § 5104(e)(2)(A), (D) and (G), which makes it a crime to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (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.



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Special Agent John McBrien  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 11<sup>th</sup> day of March 2022.

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HON. G. MICHAEL HARVEY  
U.S. MAGISTRATE JUDGE