

STATEMENT OF FACTS

Your affiant, Jeffrey A. Baker, is a special agent assigned to the Federal Bureau of Investigation (FBI). In my duties as a special agent, I am currently assigned to the Milwaukee Division's Joint Terrorism Task Force, where I investigate violations of federal law. I have investigated and assisted in the investigation of matters involving violations of federal law related to domestic terrorism, narcotics trafficking offenses, and firearms-related offenses including the preparation and service of criminal complaints and search and arrest warrants. During my career, my investigations have included the use of various surveillance techniques and the execution of various search, seizure, and arrest warrants. 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, detection, 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, 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.

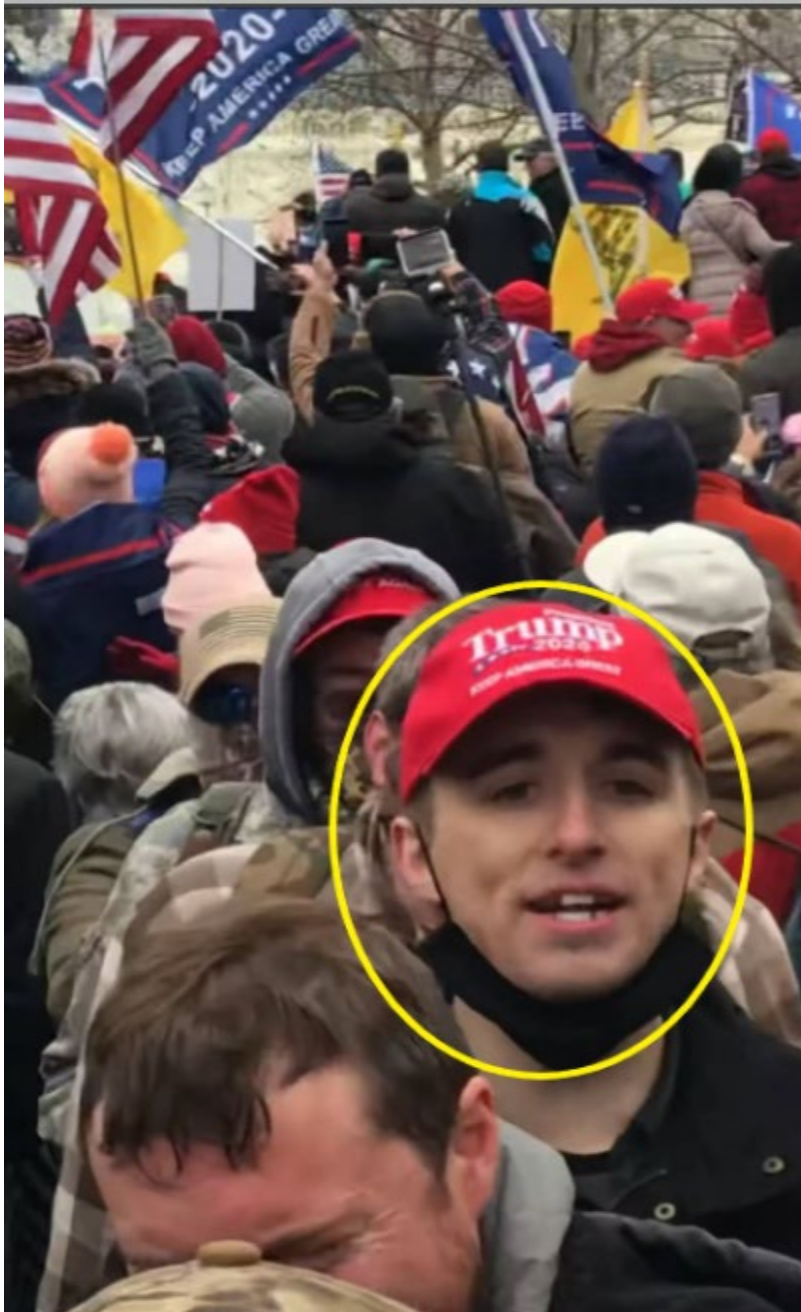
Among the images of individuals who entered the U.S. Capitol without authorization was an individual dressed in a black in color shirt and black in color jacket, wearing a red in color hat with white lettering and the word "Trump" on the hat, and wearing a black in color mask, and black in color jeans. The individual was a white male who appeared to be slim in build. As described below, this person has been identified as Conlin WEYER. Through FBI's investigation as detailed below, WEYER was determined to be a resident of the Western District of Wisconsin.

According to records obtained through a search warrant which was served on AT&T, on January 6, 2021, in and around the time of the incident the cell phone associated with [REDACTED] 0823 was identified as having utilized a cell site consistent with providing service to a geographic area that includes the interior of the United States Capitol building.

Records provided by AT&T revealed that the subscriber for the phone number [REDACTED] 0823 was Conlin WEYER. The records further revealed that WEYER's phone was located within the U.S. Capitol on January 6, 2021 at approximately 2:15 PM EST and last located within the U.S. Capitol at approximately 3:03 PM EST.

As part of this investigation, your affiant and other FBI agents have reviewed video footage and screenshots of events in and around the U.S. Capitol on January 6, 2021, from third-party sources and from U.S. Capitol Police CCTV. As described below, the footage and screenshots show Conlin WEYER entering the Capitol building. Conlin WEYER can be seen in multiple screenshots below (with yellow markings/circles indicating the presence of WEYER).

Conlin Weyer outside of the U.S. Capitol; screenshot from Youtube video



Conlin Weyer just after exiting U.S. Capitol. Image was obtained via flickr.com.



Conlin Weyer inside the Capitol. Image was obtained via Parler



Conlin Weyer inside of the U.S. Capitol Rotunda. Image was obtained through shutterstock.com.



In addition to the above public-sourced videos, your affiant has located CCTV footage of WEYER inside the Capitol. Samples from the screenshots of the CCTV footage are included below (with yellow circles/markings indicating the presence of WEYER).

Conlin Weyer entering the U.S. Capitol using the Upper West Terrace door at 19:35:32 (UTC).



Conlin Weyer inside the Upper West Terrace inside the U.S. Capitol at 19:35:38 (UTC).



Conlin Weyer in the Statuary Hall of the U.S. Capitol at 19:38:56 (UTC).



Conlin Weyer in the Statuary Hall at 19:38:57 (UTC)



Conlin Weyer in the Rotunda at 19:46:55 (UTC).



On or about April 5, 2022, the FBI conducted an interview of an individual who knows Conlin WEYER personally (hereinafter "Witness 1"). Witness 1 stated that he knows Conlin WEYER from the high school he attended. Witness 1 was shown photographs of Conlin WEYER inside the Capitol building on January 6, 2021. Witness 1 further provided a photograph of Conlin WEYER from his high school yearbook and confirmed that the individual who was in the photos, inside the Capitol on January 6, 2022, was Conlin WEYER.

Images shown to Witness 1 of Conlin Weyer in the U.S. Capitol



00:01:44 / 00:01:50

Image Shown to Witness 1 of Conlin Weyer at the U.S. Capitol on January 6, 2021



00:00:06 / 00:01:06

0.5X



Image shown to Witness 1 of Conlin Weyer inside the U.S. Capitol on January 6, 2021



Image shown to Witness 1 of Conlin Weyer inside the U.S. Capitol on January 6, 2021



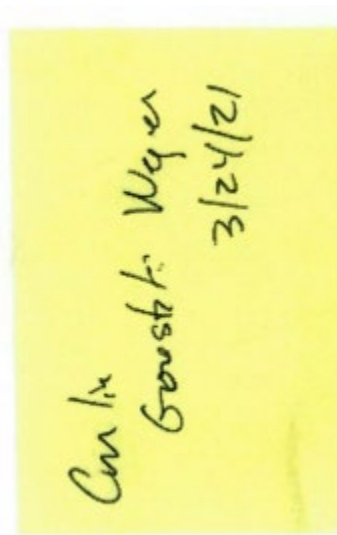
00:34:19 / 00:44:04

Image shown to Witness 1 of Conlin Weyer inside the U.S. Capitol on January 6, 2021



00:34:17 / 00:44:04 0.5X

Conlin Weyer's high school yearbook photo provided by Witness 1



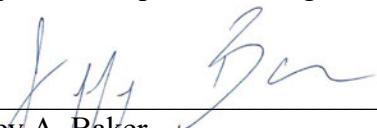
Your affiant has conducted a comparison between the images above, and a driver's license photograph of Conlin WEYER obtained from Wisconsin Department of Transportation. Your affiant assesses that the individual who can be seen in the photos in the Capitol is the same individual in the driver's license photo for Conlin WEYER. Further, your affiant and other FBI employees have reviewed publicly available information about Conlin WEYER, discovering that phone number [REDACTED] 0823 is associated with Conlin WEYER.

FBI Milwaukee has conducted physical surveillance of Conlin WEYER's residence at [REDACTED]. WEYER was observed by FBI employees exiting the lot of this residence in a vehicle. FBI Milwaukee assesses, based on their observations of Conlin WEYER in the vehicle at his residence, that Conlin WEYER is the person in the photographs/screenshots above who entered the U.S. Capitol.

Based on the foregoing, your affiant submits that there is probable cause to believe that Conlin WEYER 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 Conlin WEYER 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.



Jeffrey A. Baker
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 10th day of May, 2022.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE