

STATEMENT OF FACTS

I, Marty Trevino, am a Task Force Officer assigned to the Federal Bureau of Investigation and have served in that capacity since October 2020. By virtue of my assignment with the FBI, I am authorized to conduct investigations into violations of U.S. law. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510 (7) of Title 18 United States Code. As a Task Force Officer, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of Federal criminal.

Background

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.

Identification of KEVIN M. CRONIN II

During the FBI's investigation of the events of January 6, 2021, the FBI obtained information that a mobile device associated with the email accounts kevinmike323@gmail.com and kevinmike323@aol.com, and with the telephone number xxx-xxx-9032 (x9032), was identified inside the U.S. Capitol on January 6, 2021.¹ Your affiant began investigating KEVIN M. CRONIN II (KEVIN), who was named as the listed subscriber and user of the above email accounts and telephone number.

According to records obtained by search warrant from Google, a mobile device associated with phone number x9032, subscribed to by KEVIN and associated with KEVIN's Google email account, was present at the U.S. Capitol on January 6, 2021, between the time of 2:13 PM and 4:42 PM. Your affiant then used this information to physically identify KEVIN.

Utilizing the above identifiers from Google, agents queried open-source information and law enforcement databases, and identified KEVIN as living in Puyallup, Washington with his parents, KEVIN M. CRONIN SR. (CRONIN), younger brother DYLAN R. CRONIN (DYLAN), and their mother.

According to records obtained by subpoena from T-Mobile, phone number x9032 was associated with Sprint. Sprint accounts were acquired and converted to T-Mobile accounts. The billing address for the Sprint account for phone number x9032 was associated with KEVIN's mother at the Puyallup address for KEVIN and his parents.

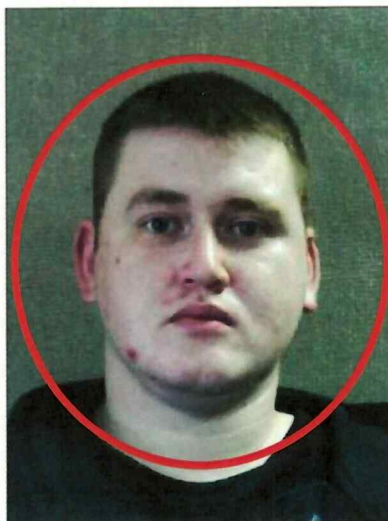
On August 11, 2021, agents interviewed Washington Army National Guard (WANG) leadership and confirmed KEVIN's military status.

On November 22, 2021, official travel records from Frontier Airlines revealed that on January 5, 2021, KEVIN traveled from Seattle International Airport (SEATAC), via Denver International Airport (DIA), to Washington National Airport (DCA). KEVIN was accompanied by CRONIN and DYLAN. On January 8, 2021, KEVIN traveled from DCA, via DIA, to SEATAC. KEVIN was accompanied by CRONIN and DYLAN on the return trip.

A review of open-source video footage and closed-circuit video (CCV) footage from the U.S. Capitol building of the events of January 6, 2021, revealed a person believed to be KEVIN

¹ Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a "maps display radius" of 10 meters to the location data point. Finally, Google reports that its "maps display radius" reflects the actual location of the covered device approximately 68% of the time.

present in various locations in Washington, D.C., and at the U.S. Capitol building.² On January 5, 2022, a U.S. Army service member previously assigned with KEVIN reviewed a most recent photograph of KEVIN from U.S. Army records, and identified the person circled below as KEVIN.



The U.S. Army service member then reviewed photographs from inside the U.S. Capitol building on January 6, 2021, and identified the person circled below as KEVIN. KEVIN appears to be wearing a black coat and a red hat with stitched white lettering, “Make America Great Again” on the front.



² All times listed from Capitol Police videos are shown in “Zulu” time. On January 6, 2021, Zulu time was expressed as military time five hours ahead of Eastern Standard Time. For instance, the time of 19:00 is 2:00 PM, Eastern Standard Time.

I believe the person identified in the series of screenshots in the Conduct section below to be KEVIN based on a comparison of CCV footage with the photograph of KEVIN identified by a former U.S. Army co-worker. I identified this individual in open-source video, and I tracked this individual on multiple CCV cameras throughout the U.S. Capitol building, based on his clothing, accessories, and a comparison of the CCV footage with KEVIN's most recent military records photograph.

Identification of DYLAN R. CRONIN

During a review of U.S. Capitol videos to identify KEVIN, I saw DYLAN in close and constant proximity to his brother KEVIN and his father CRONIN.

Based on a search of open-source information, law enforcement databases, and spot check surveillance, agents identified DYLAN as living in Puyallup, Washington with his father CRONIN, brother KEVIN, and their mother.

As indicated above, DYLAN traveled with CRONIN and KEVIN from Seattle to DCA January 5, 2021, and the three returned on January 8, 2021.

On January 11, 2022, agents interviewed a First Sergeant, U.S. Army Reserve Headquarters, who first met DYLAN in August 2019. DYLAN was assigned to the First Sergeant's U.S. Army Reserve unit. The First Sergeant reviewed, signed, and dated a most recent photograph of DYLAN from U.S. Army records, and identified the person circled below as DYLAN.



The First Sergeant then reviewed, signed, and dated photographs from the U.S. Capitol building on January 6, 2021, and identified the person circled below as DYLAN. DYLAN appears to be wearing a green military style plate carrier and red hat with stitched white lettering, "Make America Great Again" on the front.





A review of open-source video footage and CCV footage from the U.S. Capitol building of the events of January 6, 2021, revealed a person believed to be DYLAN present in various locations in Washington, D.C., and at the U.S. Capitol building. I believe the person identified in the series of screenshots in the Conduct section below to be DYLAN based on a comparison of CCV footage with the photographs of DYLAN identified by the First Sergeant. I identified this individual in open-source video taken in Washington, D.C., and I tracked this individual on multiple CCV cameras throughout the U.S. Capitol building, based on his clothing, accessories, and a comparison of the CCV footage with DYLAN's most recent military records photograph.

Identification of KEVIN M. CRONIN

During the FBI's investigation of the events of January 6, 2021, the FBI obtained information that a mobile device associated with phone number xxx-xxx-9461 (x9461), subscribed to by KEVIN and DYLAN's mother, and associated with CRONIN's email account, kmccronin@gmail.com, was present at the U.S. Capitol on January 6, 2021, between the time of 2:47 PM and 3:09 PM. Your affiant then used this information to physically identify CRONIN.

Utilizing the above identifiers from Google, agents queried open-source information and law enforcement databases, and identified CRONIN as living in Puyallup, Washington with his wife and two sons, KEVIN and DYLAN.

According to records obtained by subpoena from T-Mobile, phone number x9461 was associated with Sprint. Sprint accounts were acquired and converted to T-Mobile accounts. The Sprint account for phone number x9461 account billing address was associated with KEVIN and DYLAN's mother at the Puyallup address for CRONIN.

As indicated above, CRONIN traveled with KEVIN and DYLAN from Seattle to DCA January 5, 2021, and the three returned on January 8, 2021.

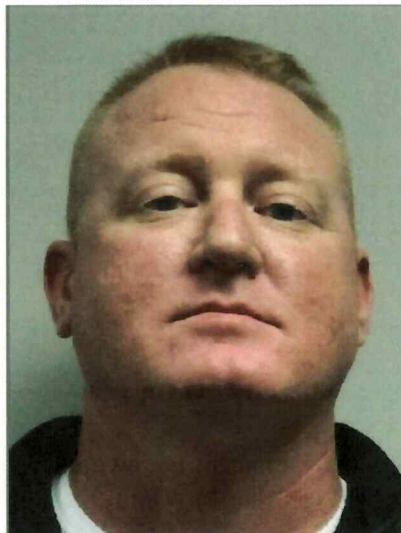
While conducting a review of U.S. Capitol CCV footage to identify KEVIN, I saw a person believed to be CRONIN in close and constant proximity to KEVIN and DYLAN in various locations inside the U.S. Capitol building.

On February 17, 2022, a U.S. Postal Service Supervisor who works with CRONIN reviewed the following photograph from inside the U.S. Capitol building on January 6, 2021. The Supervisor said the person in the photo looked like CRONIN, but the Supervisor was not sure if it was the same person.



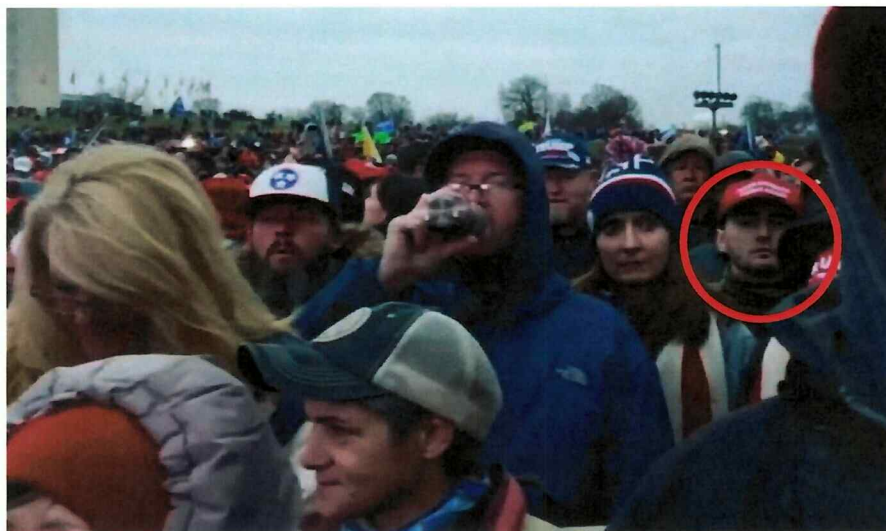
On February 17, 2022, a U.S. Postal Inspector gave a briefing to post office personnel, one of whom was CRONIN. CRONIN was standing approximately 10 feet away from the Inspector. Although CRONIN was wearing a mask that covered the lower half of his face, the Inspector noticed the visible part of CRONIN's face appeared to match the person in the above photograph from inside the U.S. Capitol building on January 6, 2021.

I believe the person identified in the series of screenshots below in the Conduct section below to be CRONIN based on a comparison of open-source video footage and CCV footage with the photograph of CRONIN identified by a postal service co-worker. I identified this individual in open-source video taken in Washington, D.C., and I tracked this individual's movements on multiple CCV cameras inside the U.S. Capitol building on January 6, 2021, based on his clothing, accessories, and a comparison of the CCV footage with CRONIN's most recent U.S. Postal Service photograph, below.



Conduct of the CRONINS on January 6, 2021

On January 6, 2021, time unknown, an Instagram video captured a person believed to be DYLAN near the Washington Monument in Washington, D.C.



On January 6, 2021, time unknown, an ABC 7 News video captured persons believed to be KEVIN and DYLAN at a political rally in Washington, D.C.



On January 6, 2021, time unknown, a TikTok video captured persons believed to be KEVIN, wearing a black jacket and red hat with stitched white lettering, “Make America Great Again,” and DYLAN, wearing a green military style plate carrier, black long sleeve shirt, black gloves, black pants, and red hat with stitched white lettering, “Make America Great Again,” at a political rally in Washington, D.C.



On January 6, 2021, at approximately 11:58 AM, a Parler video captured persons believed to be CRONIN, wearing what appears to be a green jacket and red hat with stitched white lettering, “TRUMP 2020,” with KEVIN and DYLAN, at a political rally in Washington, D.C.



At approximately 2:05 PM, a Parler video captured persons believed to be KEVIN and DYLAN at the NW Plaza of the U.S. Capitol grounds.



At approximately 2:10 PM, CCV captured persons believed to be CRONIN, KEVIN, and DYLAN at the Upper Terrace West area near the base of the Northwest Staircase on the U.S. Capitol grounds area.



At approximately 2:12 PM, open-source video captured a person believed to be DYLAN kicking the exterior Senate Wing door.



At approximately 2:12 PM, open-source video captured a person believed to be DYLAN using a piece of lumber to break the lower right pane of glass in a window to the right of the exterior Senate Wing door.



At approximately 2:13 PM, open-source video captured a person believed to be DYLAN entering the U.S. Capitol building through the left windowpane adjacent to the right windowpane that he broke.



At approximately 2:13 PM, CCV video captured a person believed to be DYLAN entering the U.S. Capitol building through the same window.



At approximately 2:13 PM, CCV captured a person believed to be DYLAN meeting KEVIN inside the U.S. Capitol building at the Senate Wing Door.





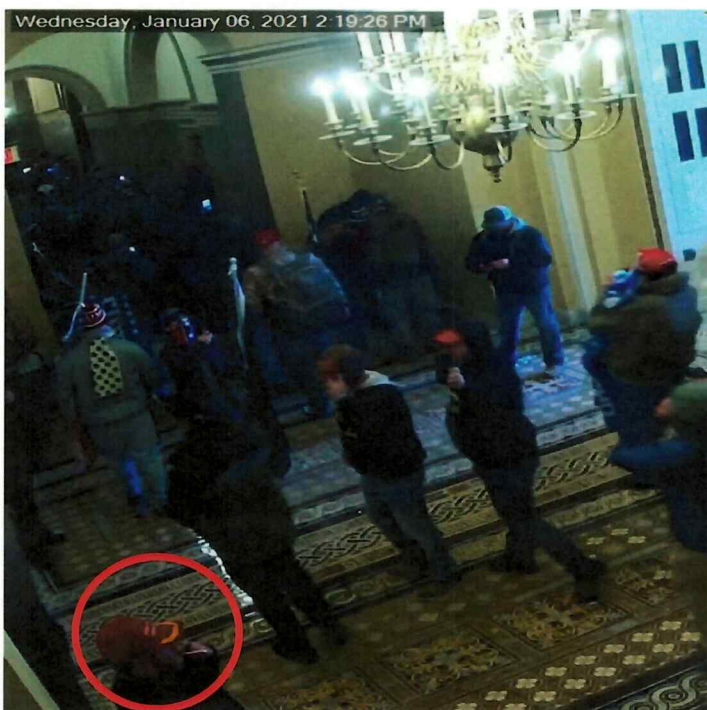
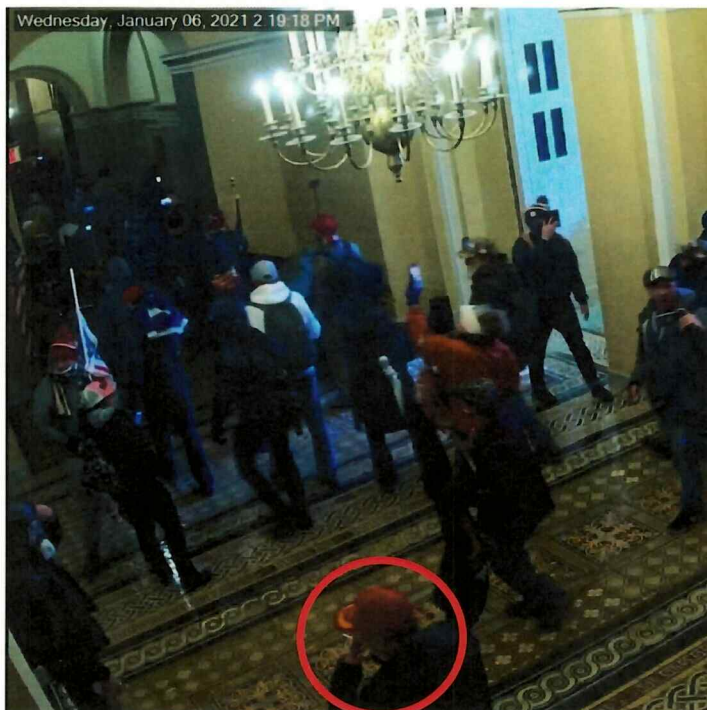
At approximately 2:14 PM, CCV captured a person believed to be CRONIN entering the U.S. Capitol building through the Senate Wing Door.



At approximately 2:14 PM, CCV captured a person believed to be CRONIN meeting KEVIN and DYLAN as he entered the U.S. Capitol Building.



At approximately 2:19 PM, CCV captured persons believed to be CRONIN and KEVIN smoking cigarettes near the Senate Wing Door inside the U.S. Capitol building.





At approximately 2:20 PM, CCV captured persons believed to KEVIN, DYLAN, and CRONIN leaving the U.S. Capitol building.



At approximately 2:24 PM, CCV captured persons believed to be KEVIN and DYLAN reentering the U.S. Capitol building through the Senate Wing Door.



At approximately 2:26 PM, CCV captured persons believed to be KEVIN and DYLAN entering the Crypt area of the U.S. Capitol building.



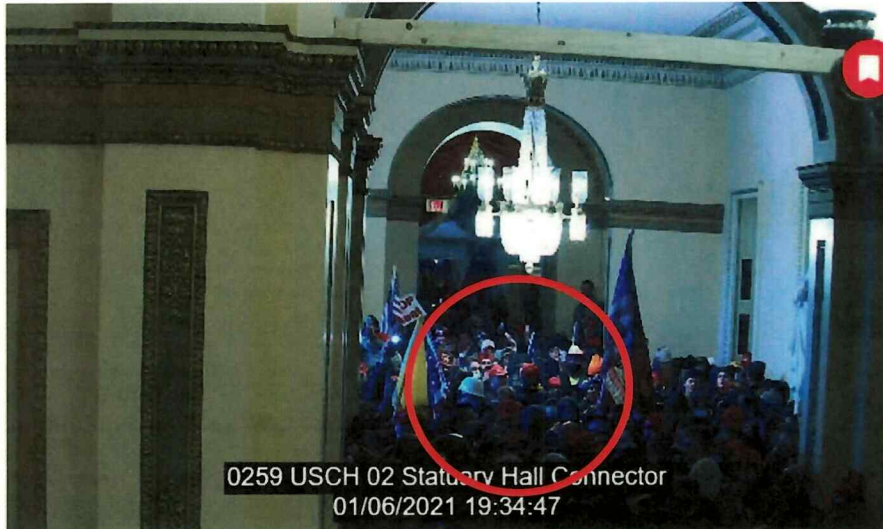
At approximately 2:30 PM, CCV captured persons believed to be KEVIN and DYLAN entering the Memorial Door area of the U.S. Capitol building.



At approximately 2:32 PM, CCV captured persons believed to be KEVIN and DYLAN entering the Statuary Hall West area of the U.S. Capitol building.



At approximately 2:34 PM, CCV captured persons believed to be KEVIN and DYLAN in the Statuary Hall Connector area of the U.S. Capitol building.



At approximately 2:35 PM, CCV captured a person believed to be KEVIN returning by the same route in the Statuary Hall West area of the U.S. Capitol building.



At approximately 2:36 PM, CCV captured a person believed to be KEVIN at the Memorial Door area of the U.S. Capitol building.



At approximately 2:37 PM, CCV captured a person believed to be KEVIN in the Crypt area of the U.S. Capitol building.



At approximately 2:38 PM, CCV captured a person believed to be KEVIN exiting the U.S. Capitol building through a broken window to the right of the Senate wing door.



At approximately 2:40 PM, CCV captured a person believed to be KEVIN outside the Senate side of the U.S. Capitol building.



At approximately 2:42 PM, CCV captured persons believed to be DYLAN near H208 East Stairs area of the U.S. Capitol building.



At approximately 2:46 PM, CCV captured a person believed to be DYLAN exiting the U.S. Capitol building through the East Front Upper House Door.



At approximately 2:47 PM, CCV captured a person believed to be DYLAN outside the East Front Upper House Door area of the U.S. Capitol building.



At approximately 2:48 PM, CCV captured a person believed to be DYLAN reentering the U.S. Capitol building through the East Front Upper House Door.



At approximately 2:48 PM, CCV captured a person believed to be DYLAN near the Upper House Door area of the U.S. Capitol building.



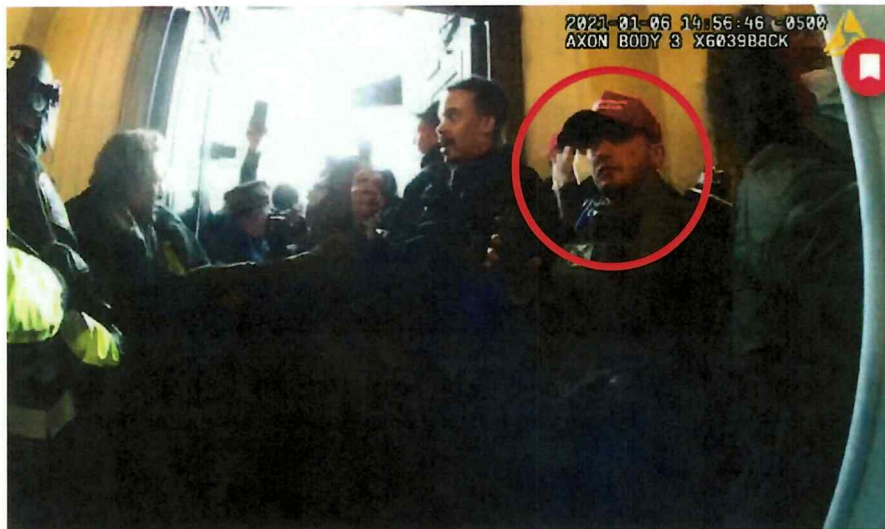
At approximately 2:55 PM, Washington Metropolitan Police Department (MPD) Body Cam captured a person believed to be DYLAN near the Upper House Door area of the U.S. Capitol building.



At approximately 2:55 PM, CCV captured a person believed to be DYLAN near the Upper House Door area of the U.S. Capitol building.



At approximately 2:56 PM, MPD Body Cam captured a person believed to be DYLAN near the East Front Upper House Door area of the U.S. Capitol building.



At approximately 3:43 PM, a Parler video captured a person believed to be DYLAN standing on the East Central Steps of the U.S. Capitol grounds.



On January 6, 2021, time unknown, a TikTok video captured a person believed to be CRONIN and KEVIN standing outside along the wall of the U.S. Capitol building.



At approximately 4:29 PM, open-source video captured persons believed to be CRONIN, KEVIN, and DYLAN near the NW Terrace area of the U.S. Capitol grounds.



Criminal Charges

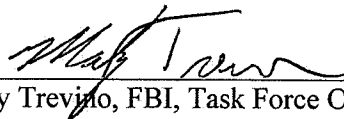
Based on the foregoing, your affiant submits that there is probable cause to believe that KEVIN M. CRONIN, KEVIN M. CRONIN II, and DYLAN R. CRONIN violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority 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 DYLAN R. CRONIN violated 18 U.S.C. § 1752(a)(4), which makes it a crime to knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so.

Your affiant submits there is also probable cause to believe that KEVIN M. CRONIN, KEVIN M. CRONIN II, and DYLAN R. CRONIN 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.

Your affiant submits there is also probable cause to believe that DYLAN R. CRONIN violated 18 U.S.C. § 5104(e)(2)(F), which makes it a crime to willfully and knowingly engage in an act of physical violence within the Grounds or in any of the Capitol Buildings.

Finally, your affiant submits there is probable cause to believe that DYLAN R. CRONIN violated 18 U.S.C. § 1361, by willfully injuring or depredating of any property of the United States with an estimated value of \$774.



Marty Trevino, FBI, Task Force Officer

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 8th day of June 2022.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE