

STATEMENT OF FACTS

Your affiant, Ian Moore, is a Special Agent with the Federal Bureau of Investigation (hereinafter "FBI"), assigned to the FBI's Joint Terrorism Task Force. In my duties as a Special Agent, I have received training and gained experience in a variety of criminal laws and procedures. 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, S.E., 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.

FACTS SPECIFIC TO THIS CASE

In January 2021, based on numerous online and telephonic tips, the FBI initiated an investigation into allegations that SHAWNDALE CHILCOAT and DONALD CHILCOAT were unlawfully present on restricted U.S. Capitol grounds on January 6, 2021.

One tipster, W-1, submitted a tip that stated: “TRESPASSED INTO CAPITOL: Shawndale Morgan Chilcoat ? Celina, Ohio. She has removed most of the posts/videos of her inside the Capitol building on January 6 and threatening violence if Biden is inagurated on January 20. Please see the attached screenshots of what’s left on her Facebook.”

W-1 attached a screenshot of a Facebook post from “Shawndale Morgan Chilcoat” that said: “OK so antifa is being blamed for breaking windows and storming congress. Um no, it was us I was with them and couldn't be more proud. Please stop giving them credit and realize trumps side has crazies too and they should stew on that for awhile.”



Another tipster, W-2, provided a tip that stated “Donny Chilcoat & wife from St. Marys, OH supposedly seen in photo behind ‘man with horn hat’ as he entered Capital Building. Donny is resporting to friends he was there & inside. Also, a bus from Coldwater, OH took group to Trump speech, then that group attended Capital riots.”

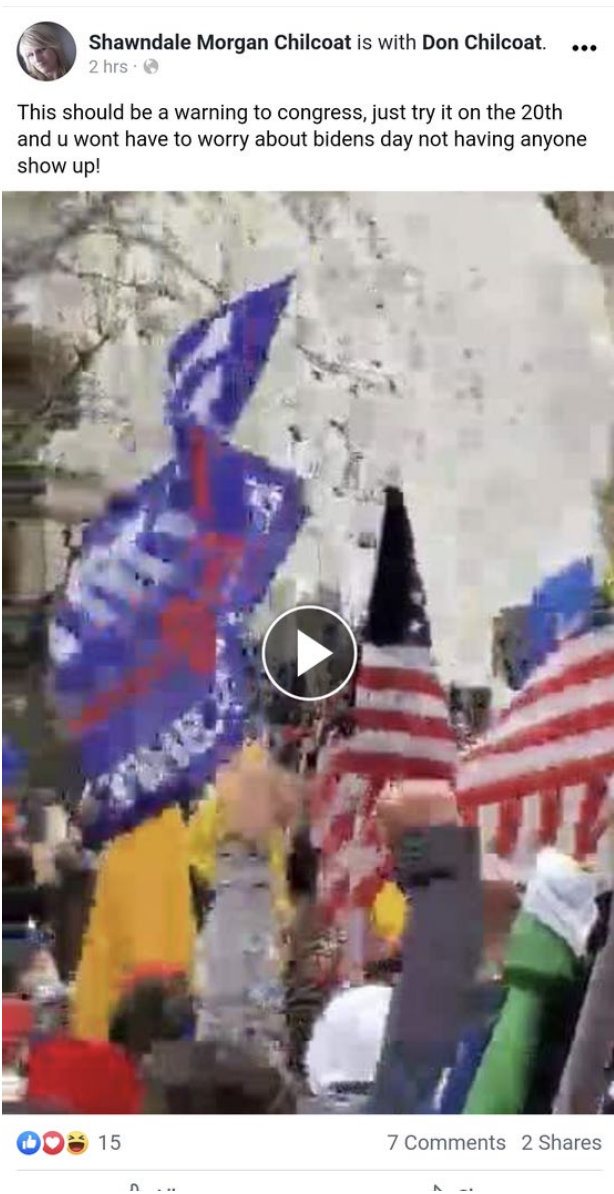
A third tipster, W-3, submitted a tip that stated: “This person, Shawndale Morgan Chilcoat from Celina, OH, is a friend of a friend on Facebook who apparently took part in the Capitol incident yesterday. She posted multiple pictures and videos publicly to her Facebook page implying that she was in the Capitol building as part of the crowd that broke in. Most of these videos have been taken down, but I was able to screenshot them. 3 of the screenshots were taken around 10:30 on 1/6, and one was taken at around 12:30 am on 1/7. She appears to be a believer in QAnon conspiracy theories. The link to her Facebook page is

<https://www.facebook.com/shawndale.chilcoat>.” W-3 attached several screenshots of the Facebook profile belonging to “Shawndale Morgan Chilcoat.”

W-3 attached the below screenshots of Facebook posts posted by “Shawndale Morgan Chilcoat” at what appears to be the U.S. Capitol building. The caption on one of the posts reads: “They took the steps out so we climbed the scaffolding!”



W-3 also submitted a screenshot of the same Facebook profile belonging to “Shawndale Morgan Chilcoat,” which showed a posted video with the caption: “This should be a warning to congress, just try it on the 20th and u wont have to worry about bidens day not having anyone show up!”



According to business records obtained through a search warrant served on Google, a mobile device associated with donchilcoat2@gmail.com was within the U.S. Capitol building between 2:28 p.m. and 3:24 p.m. on January 6, 2021. Your affiant obtained business records from Google that identified “Don Chilcoat” as the registration name for that email address. The telephone number associated with that email address is listed as ***-***-2242. The associated recovery email address is listed as Shawndalechilcoat@gmail.com, and the recovery telephone number is ***-***-3313.

Online sources show that telephone number ***-***-3313 likely belongs to SHAWNDALE CHILCOAT. That telephone number is associated with a Snapchat account with the display name “Shawndale Chilcoat,” and a Telegram account also with the display name “Shawndale Chilcoat.” Your affiant attempted telephonic contact with this number and the recorded voicemail greeting referenced “Shawndale Chilcoat.”

According to an online database, Verizon is the service provider for telephone numbers ***-***-3313 and ***-***-2242. Business records obtained from Verizon identified both telephone numbers as associated with the same wireless account and listed the account owner for both telephone numbers as KC, a family member of DONALD CHILCOAT and SHAWNDALE CHILOAT. KC shares an address with DONALD CHILCOAT and SHAWNDALE CHILCOAT. SHAWNDALE CHILCOAT is listed as an authorized user with full account access for both telephone numbers.

Additionally, your affiant obtained U.S. Capitol Police Closed Circuit Television (CCTV) recordings and Senate Television (“Senate TV”) recordings from January 6, 2017. In a review of those recordings, your affiant identified two persons who your affiant believes to be SHAWNDALE CHILCOAT and DONALD CHILCOAT, together inside the U.S. Capitol building, based on a comparison with photographs obtained from the Ohio Bureau of Motor Vehicles (OBMV). Of note, DONALD CHILCOAT’s eyewear in the video recordings appears to match the half-frame glasses worn in his OBMV file photograph.

In the CCTV recordings, SHAWNDALE CHILCOAT is wearing jeans, a black jacket with a grey collar, black gloves, a navy blue beanie with white and red stitching, and black sneakers with a white sole. DONALD CHILCOAT is wearing jeans, a black jacket, a red beanie with the word TRUMP stitched on it, and black sneakers. DONALD CHILCOAT has a grey beard that is visible when his black mask is removed.

Video footage from two camera angles (Image 1 and Image 2) shows that SHAWNDALE CHILCOAT and DONALD CHILCOAT entered the U.S. Capitol building on January 6, 2021, through a fire door located on the Northwest side of U.S. Capitol building next to the Parliamentary Door.



Image 1



Image 2

In Image 3, video footage shows DONALD CHILCOAT holding a cellular telephone and filming his surroundings as he and SHAWNDALE CHILCOAT reach the top of a staircase in the Capitol building.



Image 3

Then, SHAWNDALE CHILCOAT and DONALD CHILCOAT can be seen on video footage entering the Senate Chambers.



Image 4



Image 5

The FBI interviewed W-4, someone personally familiar with SHAWNDALE CHILCOAT and DONALD CHILCOAT, who submitted a tip in July 2021 regarding the Chilcoats' actions on January 6, 2021. W-4 was shown Images 4 and 5 (above), and positively identified SHAWNDALE CHILCOAT and DONALD CHILCOAT in the images.

While on the Senate Floor, SHAWNDALE CHILCOAT and DONALD CHILCOAT took pictures of themselves, and later shared those photos via Facebook messages (Images 6 and 7, below), as discovered when your affiant executed search warrants for SHAWNDALE CHILCOAT's and DONALD CHILCOAT's Facebook accounts, as explained below.



Image 6



Image 7

Video footage later show SHAWNDALE CHILCOAT and DONALD CHILCOAT walking through the Brumidi Corridor inside of the Capitol building, as depicted in Image 8.

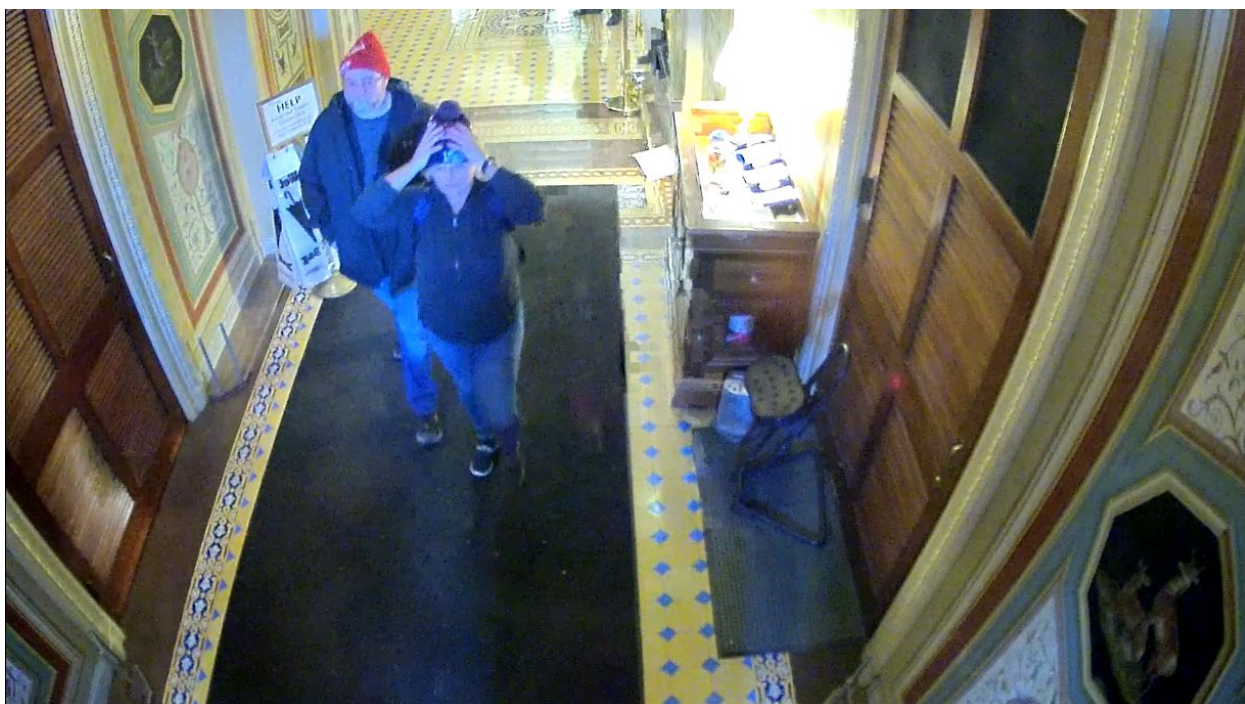


Image 8

Your affiant obtained a search warrant for information associated with SHAWNDALE CHILCOAT's and DONALD CHILCOAT's Facebook accounts from Meta Platforms, Inc. Your affiant has reviewed the returns of those warrants, and note the following relevant statements.

On January 7, 2021, SHAWNDALE CHILOAT wrote, in part: "We were just trying to stop them from certifying the votes and didn't know they were already gone."

SHAWNDALE CHILCOAT "sent" a video at least 11 times through messages to other users with her Facebook account. The video depicts SHAWNDALE CHILCOAT outside of the Capitol building on January 6, 2021, saying: "I'm right at the top of the congress . . . we're going to show them how they need to vote today."

On January 7, 2021, SHAWNDALE CHILCOAT had the following conversation with another Facebook user, hereinafter identified by the initials "DH":

DH: "But was anything accomplished? Was it Antifa that broke a window & stormed the Congress?"

DH: "Or us?"

Shawndale Morgan Chilcoat: "Us of course I was with them and I couldn't be more proud! Antifa couldn't of done anything around us"

DH: "We've been told they dressed up like Trump supporters"

DH: "That they did it to throw share on Trump."

Shawndale Morgan Chilcoat: "I don't see how anything they could of done would of hurt him. Honestly we should burn the fucker down"

SHAWNDALE CHILCOAT also posted a video from January 6, 2021 of someone attempting to break a window of the Capitol building, and a voice, which sounds like SHAWNDALE CHILCOAT, narrates: "woooo yeah break them all!!"

One of DONALD CHILCOAT's videos from January 6, 2021, narrates the following: "we're getting ready to go up that scaffolding into the capitol building here. People climbing everywhere. Crazy shit man. Crazy shit here. This is a fucking crazy mother fucking . . . we're going into the capitol building now."

On January 7, 2021, DONALD CHILCOAT had the following conversation with another Facebook user, hereinafter identified by the initials "BK":

BK: Kicking down doors at the Capitol building are ya? Haha

Donald Chilcoat: She was lol crazy there

BK: I seen all your videos. That was pretty wild

Donald Chilcoat: Yes it was so many people it was fucking crazy. I'm crazy but it was scary

Based on the foregoing, your affiant submits that there is probable cause to believe that SHAWNDALE CHILCOAT and DONALD CHILCOAT 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 SHAWNDALE CHILCOAT and DONALD CHILCOAT violated 40 U.S.C. § 5104(e)(2)(B), (D), and (G), which makes it a crime to willfully and knowingly (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to 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.

Finally, your affiant submits there is probable cause to believe that SHAWNDALE CHILCOAT and DONALD CHILCOAT violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.

Respectfully submitted,



Ian Moore
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 August 2022.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE