

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**TUCKER WESTON, and  
JESSE WATSON,**

**Defendants.**

Case: 1:22-mj-00222

Assigned to: Judge Faruqui, Zia M.

Assign Date: 10/18/2022

Description: COMPLAINT W/ ARREST WARRANT

**VIOLATIONS:**

**18 U.S.C. § 111(a)(1)**

**(Assaulting, resisting, or impeding certain officers)**

**18 U.S.C. § 231(a)(3)**

**(Civil disorder)**

**18 U.S.C. §§ 1752(a)(1) and 2**

**(Restricted building or grounds)**

**40 U.S.C. §§ 5104(e)(2)(D) and (G)**

**(Violent entry or disorderly conduct)**

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR AN ARREST WARRANT**

I, Anne Borgertpoepping, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND BACKGROUND**

1. I make this affidavit in support of an application for arrest warrants for TUCKER WESTON and JESSE WATSON.

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), assigned to the Seattle Field Office. I am assigned to the Joint Terrorism Task Force that investigates domestic and international terrorism acts. Currently, I am tasked with investigating criminal activity in and around the United States Capitol grounds that occurred 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 violations of Federal criminal laws.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

#### **PROBABLE CAUSE**

10. JESSE WATSON, (“WATSON”) is a 33-year-old resident of the state of Washington. According to records associated with his Washington State driver’s license, WATSON is 6’1”, weighs 190 pounds and lives at an address in Lynnwood, Washington (the “Lynnwood Address”). As a part of this investigation, I have reviewed the image of WATSON associated with his November 2019 Washington State driver’s license, which depicts WATSON. I have also observed WATSON leaving the Lynnwood Address on multiple occasions.

11. TUCKER WESTON, (“WESTON”) is a 34-year-old resident of the state of Washington. According to records associated with his Washington State driver’s license, WESTON is 5’8” and also lives at the Lynnwood Address. As a part of this investigation, I have reviewed the image of WESTON associated with his May 2019 Washington State driver’s license which depicts WESTON. I have also observed WESTON leaving the Lynnwood Address and then entering a vehicle registered to WESTON.

12. According to United Airlines records, WATSON and WESTON flew from the Seattle-Tacoma International Airport to the Dulles International Airport departing on January 4, 2021 and arriving on January 5, 2021. According to Alaska Airlines records, WATSON and WESTON flew from the Baltimore/Washington International Airport to the Seattle-Tacoma International Airport on January 7, 2021. I am aware that the Transportation Security Administration (“TSA”) requires airlines to collect identifying information from individuals to register for flights including their true name and date of birth and that the TSA requires individuals to present an identification document that matches this data during a security check prior to a flight.

13. Records from ARC The Hotel obtained pursuant to subpoena indicate that WATSON, along with another unnamed guest, stayed in a room at ARC The Hotel in Washington D.C. from January 5, 2021 until January 7, 2021. These records indicate that WESTON booked this hotel room. Accordingly, WESTON is believed to have been the second guest in this hotel room.

14. According to records lawfully obtained from Verizon, a telephone number that ends in 1391 (the “1391 Number”) is subscribed to “Rob Watson,” with a contact name of JESSE WATSON. Google records obtained pursuant to legal process also link WATSON to the 1391 Number. A telephone number that ends in 2215 (the “2215 Number”) is subscribed to “Tucker A

Weston.” United Airlines, Facebook, Lyft and Uber records obtained pursuant to legal process also link Weston to the 2215 Number.

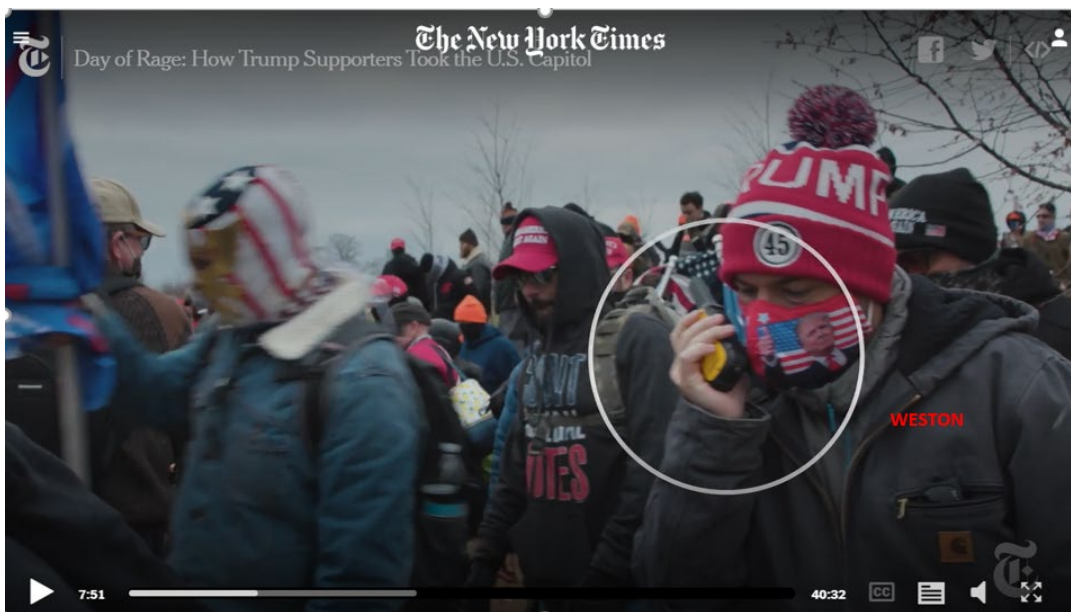
15. I have reviewed still images and videos of individuals who engaged in criminal violations on January 6, 2021, at and around the U.S. Capitol. As described further below, based on my comparison of WATSON and WESTON’s known images and descriptions, including my personal observations of them, and images and videos of the individuals involved in violations criminal law on January 6, 2021, as well as other information received during this investigation, it appears that WATSON and WESTON are the individuals described below and committed such offenses.

16. The FBI received a tip regarding the January 6, 2021, attack on the U.S. Capitol building from an individual referred to herein as the Witness. The Witness identified FBI Photograph 437-AFO (Assault on Federal Officer), *see* Image 1, as WESTON. The Witness also provided WESTON’s employer and his approximate age and location. WESTON, who has a brown beard, can be seen in Image 1 wearing a red “TRUMP” knit hat with a multi-colored pom-pom on the top and a grey Carhartt jacket over a lighter grey jacket. In other video and photographs from January 6, 2021, WESTON can be seen wearing tan pants, dark shoes, and at times, a yellow and grey scarf and/or a red Trump mask.



**Image 1**

17. Publicly available video from January 6, 2021, also captured WESTON identifying himself by name. He can be seen speaking into a handheld radio saying, “That’s affirmative. Jesse, this is Tucker.” “Jesse” is believed to be a reference to JESSE WATSON.



**Image 2**

18. On January 6, 2021, prior to the attack on the Capitol, various groups and individuals walked in the streets of Washington, D.C., around and to the area of the Capitol. Media and other third-parties documented some of these groups’ and individuals’ movements that day.

WESTON marched with one such group. Images 3 through 5 (below) were captured from video taken on January 6, 2021, near the U.S. Capitol building and depict WESTON as he marched.<sup>1</sup>



Image 3

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<sup>1</sup> The individual in Images 2 and 3, whose face is partially or fully obscured, has been identified as WESTON based on (1) a comparison of his Washington driver's license image, my personal observation of WESTON, as well as other images and videos of the events on January 6, 2021, in which WESTON's face was not obscured; (2) his proximity to individuals who WESTON spent time with on January 6, 2021; and (3) the fact that in the video from which Image 2 is captured, the individual identified herein as WESTON, identifies himself as "Tucker In such other images and video, WESTON appears to be wearing clothes consistent with those depicted in Images 2 and 3.





**Image 4**

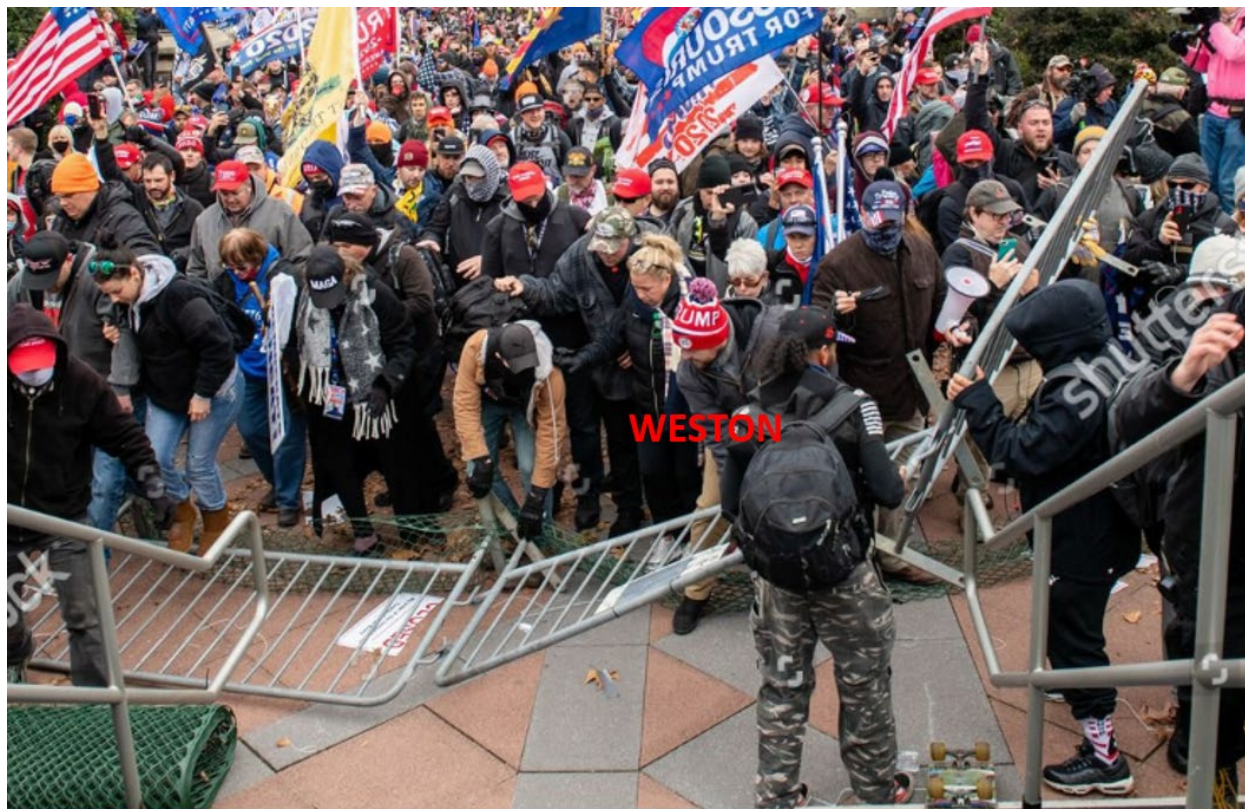


**Image 5**

19. On January 6, 2021, metal barricades and snow fencing, placed by U.S. Capitol Police Officers, were in place around the U.S. Capitol Building. The barricades and fencing were intended to keep the public away from the Capitol Building and the Congressional proceedings,



which were to take place inside. A crowd of rioters overran the line of officers and dismantled and removed the barricades and snow fencing. As seen in Image 6, WESTON participated in removing a metal barricade, which enabled the crowd of rioters to further advance on the Capitol Building.



**Image 6**

20. WESTON can later be seen on restricted grounds on the West Front of the U.S. Capitol, and as seen in Image 8, WESTON appears to be using his cellular telephone.



Image 7



Image 8



21. While on the west front, WESTON stood at the front of a group of rioters, and a group of officers stood between the crowd and the Capitol building. The rioters were temporarily stopped at the barricade. A group of the rioters then pulled down the barricade. The group of rioters, including WESTON, then advanced on the Capitol. As seen in Image 9, shortly after the barricade was pulled down, WESTON turned toward the crowd of rioters and celebrated before continuing to approach the Capitol.



**Image 9**

22. On the West Front, WESTON and other rioters engaged in a confrontation with police officers who were protecting the Capitol. During this confrontation, as seen in Images 10 and 11, WESTON shoved police officers.



Image 10



Image 11

23. In publicly available video from January 6, 2021, WESTON can be seen standing near the Capitol Building with an individual who, for the reasons described herein, is believed to

be WATSON. This individual is observed wearing a grey hooded sweatshirt, a bluish-grey gaiter, a greenish-grey beanie, blue jeans, black gloves and brown shoes. The individual identified herein as WATSON is consistent in height and build with WATSON based on my observations of him at the Lynnwood Address and information associated with his Washington State driver's license.



**Image 12**

24. Publicly available video from January 6, 2021, shows WESTON without WATSON for large portions of the day. A review of telephone records shows that WATSON, using the 1391 Number, made multiple attempts to contact WESTON at the 2215 Number between approximately 1:23 p.m. and 3:34 p.m. on January 6, 2021.



25. At approximately 3:09 p.m., U.S. Capitol CCTV footage depicts WATSON entering the Capitol through the Senate Wing Door. As he enters, WATSON is holding what appears to be a cellular telephone in a manner consistent with filming or taking photographs. Once inside of the Capitol, WATSON turns, and the screen of his cellular telephone is illuminated consistent with filming a video.



**Image 13**

26. At approximately 3:12 p.m., WATSON entered the Crypt with what appears to be a cellular telephone in his hand, raised above his head. WATSON then walked toward the center of the Crypt before walking around the pillars and heading into the center of the Crypt toward a group of people.



**Image 14**

27. WATSON then turned and walked towards an individual with a blue banner or flag with the text “TRUMP” written on it. WATSON interacted with this individual and attempted to help hang the banner on the pillar. When law enforcement approached the two men, WATSON placed the banner on a piece of black tape on the pillar before walking away.



**Image 15**

28. WATSON then walked along the corridor from the Crypt towards the Senate Wing Door. As WATSON walked towards the Senate Wing Door, he had his cellular telephone raised above his head in a manner consistent with filming a video. At approximately 3:21 p.m. WATSON exited the U.S. Capitol through a broken window next to the Senate Wing Door.



**Image 16**

29. Lawfully-obtained Google records indicate that a particular email address (the Watson Google Account) is subscribed to JESSE WATSON. This is the same email address that, as discussed in paragraph 14, is also linked to the 1391 Number. Lawfully-obtained Google records indicate that the Watson Google Account was connected to Google services and was present in or around the U.S. Capitol on January 6, 2021, from approximately 2:04 pm until 4:16 pm. Specifically, the Google records show that WATSON was on the east and north sides of the Capitol Building and inside various locations within the Capitol Building, including the area near the Senate Wing Door and the central part of the Capitol, which includes the Crypt. This data is consistent in timing and location with WATSON's location within the Capitol as seen in the photographs included in Paragraphs 25 – 28.

30. Google records also indicate that on January 6, 2021 at 7:18am, 7:19am, and 7:43am, the Watson Google Account accessed a “My Maps” map entitled 1/6/20.<sup>2</sup> This map includes multiple event locations in Washington, D.C., including “Stop the steal 10am,” “march on congress 11am,” and “Joint session (the count) 1pm.” The “Joint session (the count)” event is associated with a marker at the U.S. Capitol Building. The Watson Google Account also viewed numerous areas in Washington, D.C. on January 6, 2021, including maps that included the Capitol Building.

31. At approximately 3:14 p.m., U.S. Capitol CCTV footage depicts WESTON entering the Capitol through a broken window next to the Senate Wing Door. At this time, rioters are observed entering and exiting through the Senate Wing Door. While entering, WESTON paused in the window box and pressed the screen of what appears to be a cellular telephone and held the device up in a manner consistent with taking photographs and/or videos before entering the Capitol. As he entered, WESTON continued to hold the cellular telephone in a manner consistent with filming or taking photographs. Inside of the Capitol, WESTON continued to raise his cellular telephone and was observed smiling and pressing the screen multiple times, with the screen blinking after every press. WESTON appears to have been taking “selfie” style photographs.

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<sup>2</sup> The year 2020 included in this file name is believed to be an error. It is believed, based on the content of the map, that the map refers to events and locations from January 6, 2021.





**Image 17**

32. After briefly remaining in the Capitol building, WESTON exited through the Senate Wing Door.

33. According to telephone records, there was a 75 second phone call between the 1391 Number and the 2215 Number beginning at 3:34:53 p.m. U.S. Capitol CCTV footage of the Upper West Terrace shows WESTON with a cellular telephone up to his ear in a manner consistent with speaking on a telephone as he walks towards the crowd gathered outside the Senate Wing Door at 3:35:42 p.m. This falls within the time frame of the telephone call between WATSON, using the 1391, and WESTON, using the 2215 Number.



**Image 18**

34. At approximately 3:49 p.m., WATSON and WESTON are then observed walking together outside of the Capitol building coming from the direction that WESTON was walking while on the phone with WATSON as seen in Image 18. In this video, WATSON appears to be a few inches taller than Weston, which is consistent with their heights as listed in records associated with their Washington State driver's licenses.



**Image 19**

35. WATSON and WESTON were later observed nearly an hour later on the Northeast side of the Capitol building. The individual identified herein as WATSON as seen in Image 20 is consistent in build with WATSON based on my observations of him at the Lynnwood Address and appears to be a few inches taller than Weston, which is consistent with their heights as listed in records associated with their Washington State driver's licenses.





Image 20

36. Publicly available video also depicts WESTON kicking media equipment near the Capitol.



**Image 21**

**CONCLUSIONS OF AFFIANT**

37. Based on the foregoing, your affiant submits that there is probable cause to believe that TUCKER WESTON violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with a federal agent while they are engaged in their official duties.


38. Your affiant further submits that there is probable cause to believe that TUCKER WESTON violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federal protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

39. Your affiant also submits that there is probable cause to believe that TUCKER WESTON and JESSE WATSON 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.

40. Finally, your affiant also submits there is also probable cause to believe that TUCKER WESTON and JESSE WATSON 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.

  
Anne Borgertpoepping  
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 18th day of October 2022.

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HONORABLE ZIA M. FARUQUI  
UNITED STATES MAGISTRATE JUDGE