

STATEMENT OF FACTS

Your Affiant, Michael P. DiCaprio, is a Special Agent with the Federal Bureau of Investigation (FBI) and assigned to the Joint Terrorism Task Force (JTTF) with the FBI Albany Division in Albany, NY. Among other duties, your Affiant is responsible for conducting national security investigations of potential violations of federal criminal law. Your Affiant is tasked with investigating criminal activity in and around the United States Capitol (Capitol) grounds in Washington, D.C. on January 6, 2021. Your Affiant has served as a Special Agent with the FBI since 2007. As a Special Agent with the FBI, your Affiant is 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 facts in this Affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and agencies or is based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not contain every fact known by me or the FBI. The dates and times listed in this Affidavit should be read as “on or about”.

Background: Events at the U.S. Capitol on January 6, 2021

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.

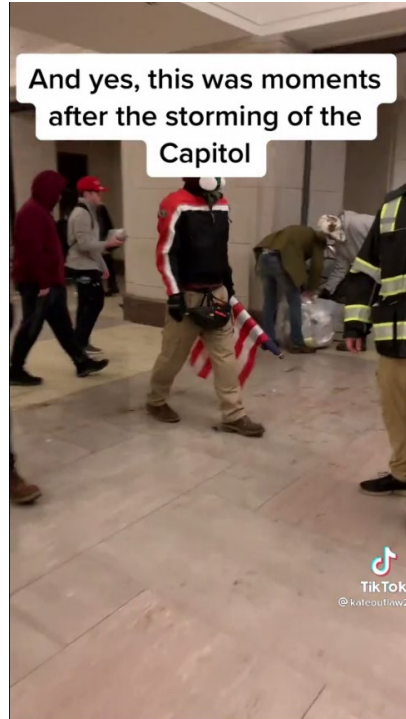
Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress 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.

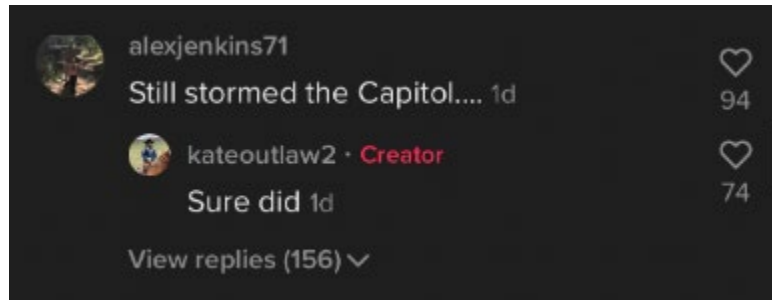
Identification of KATELYN BARTOW

On January 25, 2021, W-1 informed the FBI that W-1 had observed a video posted to the TikTok account @kateoutlaw2, which was associated with an individual later determined to be KATELYN BARTOW. W-1 described the video to capture activity inside the Capitol building, and added that the video contained a caption that read “What the media doesn’t want to show...Picking up trash inside the Capitol after two trash cans were tipped over. And yes, this was moments after the storming of the Capitol.”

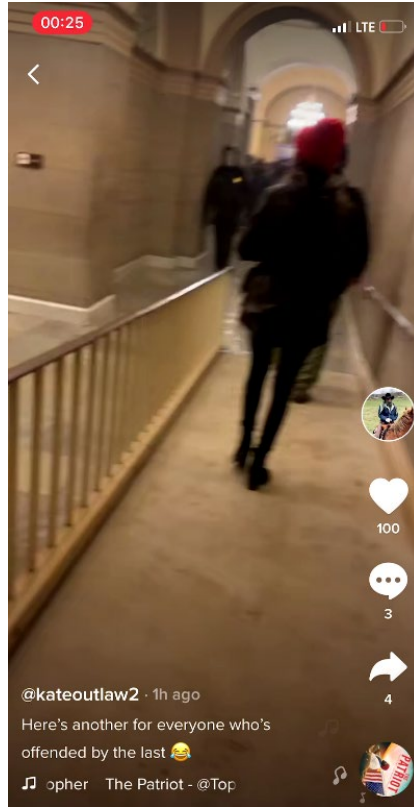




In the comments associated with the above-mentioned video, KATELYN BARTOW's account states "Sure did" in response to a comment that read "Still stormed the Capitol...."



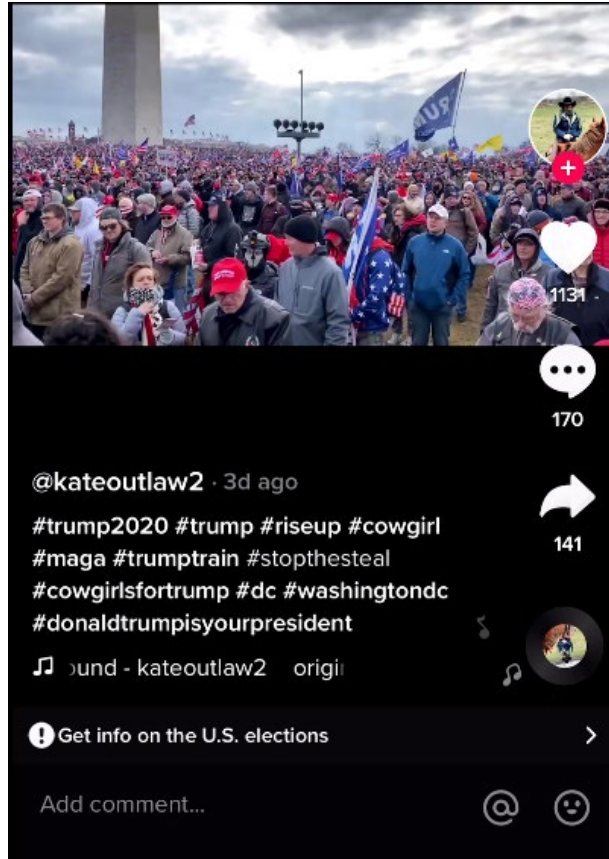
Upon further review of KATELYN BARTOW's TikTok account, W-1 observed a second video capturing activity from inside the Capitol building. The video contained a caption that read "Here's another for everyone who's offended by the last."



In addition to the above-mentioned videos, W-1 further observed two videos posted on KATELYN BARTOW's TikTok account capturing footage from outside of the Capitol building. One of the videos was filmed, amongst the crowd, on the steps of the Capitol building, and contained a caption that read "We will not be silent." (Outside Video 1). The other video was filmed amongst the crowd in the vicinity of the Washington monument (Outside Video 2). "Outside Video 2" captured a female voice heard in the background saying "go ahead, Trav, twirl."



Outside Video 1



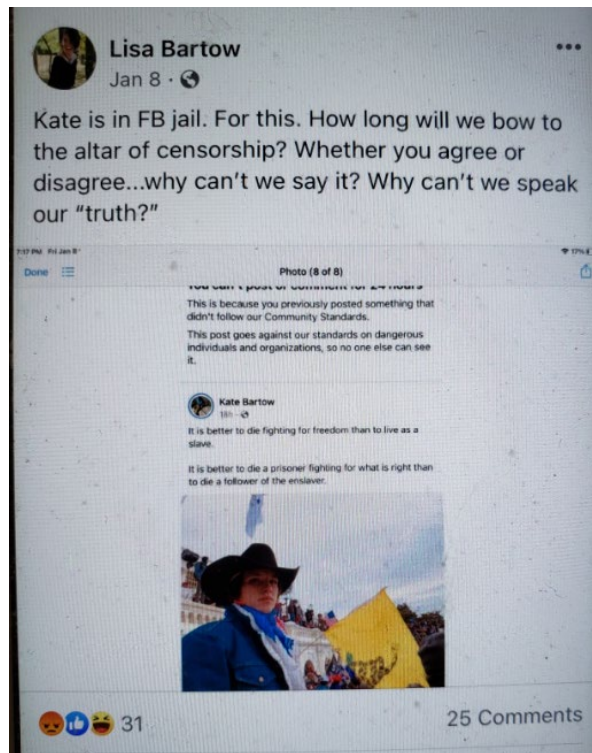
Outside Video 2

After reviewing KATELYN BARTOW's TikTok account, W-1 conducted an additional open-source Internet search, which identified a Facebook account later confirmed to be associated with KATELYN BARTOW. Review of KATELYN BARTOW's Facebook account revealed a post made on January 5, 2021, which stated "Does anyone have friends near Washington, D.C. where I could keep my horses for a night?"



On January 21, 2021, your affiant conducted a search of the publicly available Facebook account under display name "Lisa Bartow." This search revealed a post made on January 8, 2021, which contained a screenshot of a Facebook post made to KATELYN BARTOW's account with

the caption “It is better to die fighting for freedom than to live as a slave. It is better to die a prisoner fighting for what is right than to die a follower of the enslaver.” The post also contained an image of a White female wearing a black cowboy hat and a blue jacket, standing in a crowd, with what appeared to be the Capitol building in the background.



Review of New York State and Colorado State Driver’s License Photographs for KATELYN BARTOW, as well as photographs posted to a public facing Facebook account associated with KATELYN BARTOW, confirmed the individual captured in open-source videos and the security camera footage from inside the Capitol building, as later detailed, are a match to KATELYN BARTOW.

On February 1, 2021, FBI agents interviewed KATELYN BARTOW at her residence located at 1467 Hadley Hill Road, Hadley, NY 12835. KATELYN BARTOW advised that she had traveled to Washington, D.C. on January 5, 2021 and stayed in a hotel overnight. KATELYN BARTOW was shown the above-mentioned videos and admitted that the associated TikTok and Facebook accounts belonged to her and she was the person who recorded the footage. On the morning of January 6, 2021, she walked to the grounds surrounding the Capitol building. When confronted about “Outside Video 2,” she confirmed it was her voice heard in the background stating “go ahead Trav, twirl.” She further confirmed that she has a brother named Travis. KATELYN BARTOW advised that she was present inside of the Capitol building on January 6, 2021. At the time she entered, KATELYN BARTOW explained that the door was open and there was no law enforcement preventing her entrance. Upon entering the building, she noticed a man acting aggressive toward a law enforcement officer, and also garbage scattered all over the area inside. At that time, she directed others to help pick up the trash. She cited her reason for attending

the rally was to voice her opinion on how the votes (regarding the 2020 Presidential election) were not being conveyed accurately to the public.

After picking up trash near the entrance of the Capitol building, KATELYN BARTOW moved to the area she referred to as the “Visitor Center.” At that point, she observed a group of protesters acting aggressively toward law enforcement. KATELYN BARTOW stated she yelled at the group for confronting officers. While in the visitor center area, she overheard law enforcement officers, who were talking with a group of protesters, tell the group that someone had been shot and that they should leave. After hearing the officer’s statements, KATELYN BARTOW left the area around the Capitol building and returned to her hotel. KATELYN BARTOW stated she did not visit any other locations inside the Capitol other than the entrance area and the visitor center area. She departed Washington, D.C. on the morning of January 7, 2021.

KATELYN BARTOW advised that she was with a small group during her time in Washington, D.C., and although she was willing to discuss her actions on January 6, 2021, she preferred not to discuss the actions of anyone else from that day.

Legal process determined the aforementioned TikTok and Facebook accounts were registered to KATELYN BARTOW, which also identified telephone numbers and email addresses associated with KATELYN BARTOW. Additional legal process served on Google and Verizon Wireless communication accounts further confirmed that all accounts are associated with KATELYN BARTOW. In addition, IP address analysis from TikTok returns show IP address activity in Washington, D.C for the time period of 01/05/2021 through 01/07/2021, which is consistent with statements provided by KATELYN BARTOW.

Identification of TRAVIS BARTOW

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, telephone number ending in x9026, which is associated with TRAVIS BARTOW, was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the United States Capitol building.

Additional open-source research identified videos depicting the events that occurred at the United States Capitol on January 6, 2021. Specifically, within an unlisted video posted to “The Patri0t” YouTube account, TRAVIS BARTOW is captured wearing similar clothing to the previously documented security camera footage from inside of the Capitol building. The video depicts TRAVIS BARTOW near the barricades within the restricted area of the Capitol building. Below is a screenshot of TRAVIS BARTOW as detailed above.



Within a now-deleted YouTube video, TRAVIS BARTOW and KATELYN BARTOW are captured wearing similar clothing to the previously documented security camera footage from inside of the Capitol building. The video depicts TRAVIS BARTOW (circled in yellow) and KATELYN BARTOW (circled in red) being questioned by a news reporter while walking toward the Capitol building. Below is a screenshot from the video of TRAVIS BARTOW and KATELYN BARTOW as detailed above.



Within a video posted to the Parler website, TRAVIS BARTOW and KATELYN BARTOW are captured walking inside of the restricted area of the Capitol building. The location is determined by the scaffolding that is present in the background of the video. Below is a screenshot of TRAVIS BARTOW and KATELYN BARTOW as detailed above.



Review of Tennessee State Driver's License Photograph for TRAVIS BARTOW, as well as photographs posted to a public facing Facebook account associated with TRAVIS BARTOW, confirmed the individual captured in the above-mentioned open-source videos and the security camera footage from inside the Capitol building are a match to TRAVIS BARTOW.

On January 6, 2022, your affiant interviewed TRAVIS BARTOW by way of telephone. TRAVIS BARTOW stated he traveled from Tennessee to Washington, D.C. on January 5, 2021, joined the large gathering at the Washington Monument, and then joined a group walking towards the Capitol. When approaching the West side of the Capitol building, TRAVIS BARTOW stated he heard the loud noises from the deployment of tear gas canisters by law enforcement. He followed others in climbing a piece of metal fencing to reach the landing near the Capitol entrance. Although he observed uniformed law enforcement in the area, TRAVIS BARTOW reported that the group he was with was not stopped or prevented from entering the Capitol.

After entering the Capitol, TRAVIS BARTOW followed a group to the Visitor's Center where he recalled observing a physical encounter between protesters and law enforcement. At some point, TRAVIS BARTOW heard a law enforcement officer telling protesters that someone had been killed and that they should all leave. After hearing the officer's statements, TRAVIS BARTOW stated he proceeded to exit the Capitol building.

During the interview, your affiant initiated a FaceTime video call with TRAVIS BARTOW. At that time, your affiant observed TRAVIS BARTOW and confirmed him to be the individual captured in the above-mentioned open-source videos and security camera footage from inside the Capitol building on January 6, 2021. TRAVIS BARTOW was then shown the below screenshots (Photo 1 and Photo 2) of the security camera footage. He admitted to entering the Capitol building on that day and identified himself as the individual captured in the screenshots, wearing the green jacket and blue jeans. TRAVIS BARTOW initially advised that he attended the event alone. However, when informed that KATELYN BARTOW was previously interviewed by the FBI and made statements of admission that she entered the Capitol building on January 6, 2021 and identified herself in security camera footage, TRAVIS BARTOW then advised that he was in Washington, D.C. with KATELYN BARTOW on January 6, 2021. TRAVIS BARTOW then declined to answer any questions regarding KATELYN BARTOW's actions on that day.



Photo 1



Photo 2

Video Footage Regarding KATELYN BARTOW and TRAVIS BARTOW

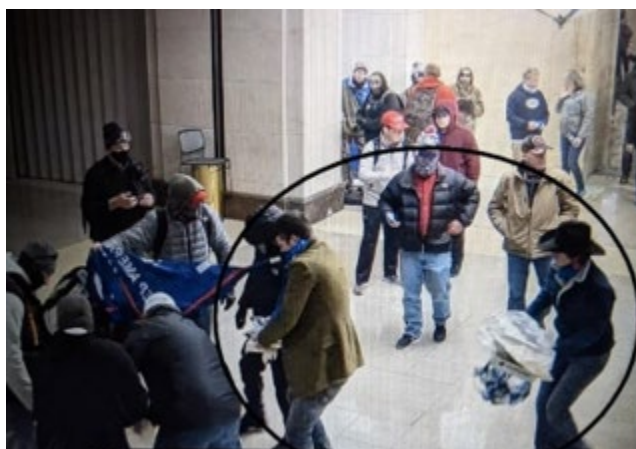
Your affiant has reviewed security camera footage from inside the Capitol building on January 6, 2021. The footage appears to show a White female wearing the same black cowboy hat, and blue jacket, as depicted in the above-mentioned image posted to KATELYN BARTOW's Facebook account, entering the Senate Wing Door on the Northwest side of the Capitol building at approximately 2:24 p.m. EST. She was joined by TRAVIS BARTOW who was wearing a green jacket and blue jeans. Upon entering the building, KATELYN and TRAVIS BARTOW walk, with the crowd, down a hallway which leads to the Crypt area.



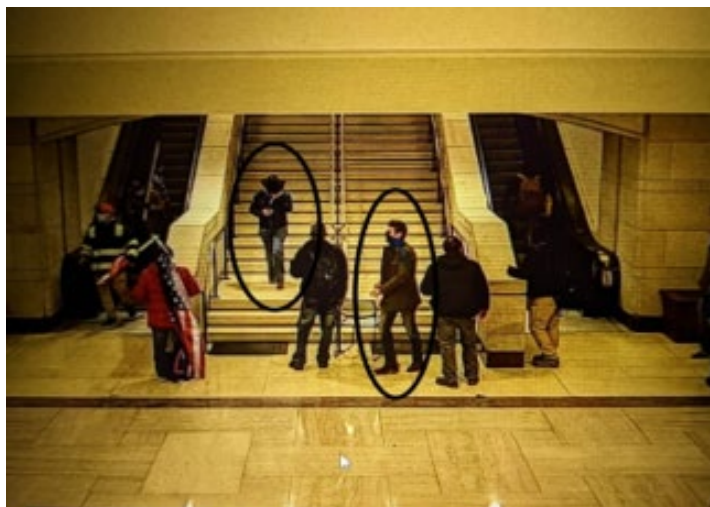
At approximately 2:30 p.m., footage shows KATELYN and TRAVIS BARTOW entering the East Crypt Lobby area, amongst the crowd. Both are wearing blue masks over their faces.



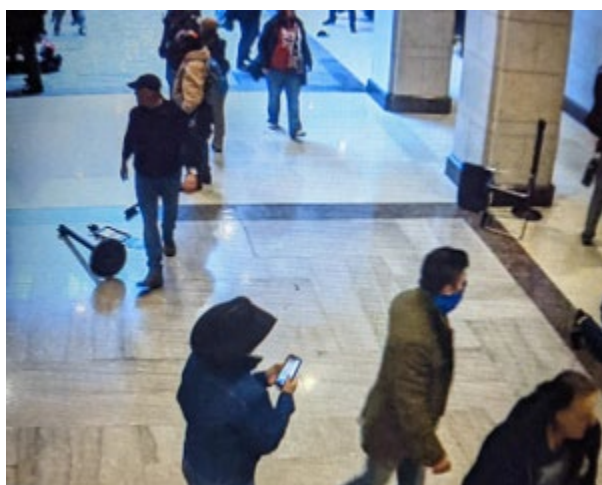
Between the time of 2:31 p.m. and 2:34 p.m., footage shows KATELYN and TRAVIS BARTOW in the East Crypt Lobby area, picking up garbage that had been scattered on the ground during the crowd's initial entrance into that area of the Capitol building. Both appear to engage unknown individuals within the crowd, who are later observed helping pick up trash.



At approximately 2:37 p.m., footage shows KATELYN and TRAVIS BARTOW walking down stairs leading to the Capitol Visitor's Center (CVC) Orientation Lobby. They both then walk out of view of the camera heading in the direction of the CVC South Orientation Lobby area.



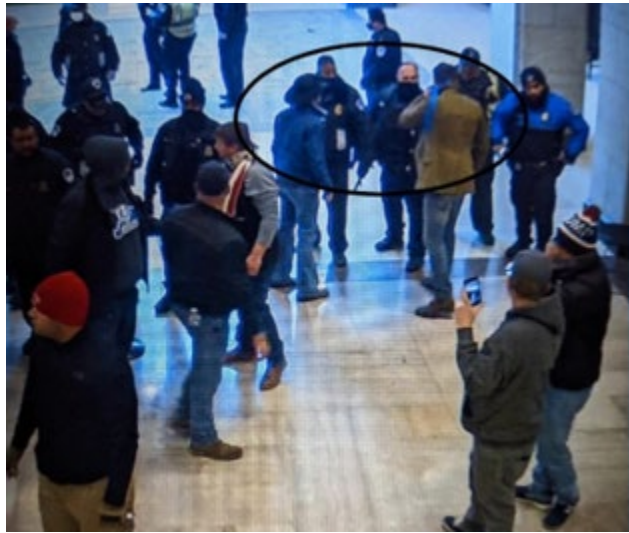
Between the time of 2:39 p.m. and 2:41 p.m. EST, footage shows KATELYN and TRAVIS BARTOW entering the South Orientation Lobby area, while what appears to be a violent encounter between the crowd and uniformed law enforcement officers occurs in that area. Both remain in the area and observe the violent encounter, but do not participate.



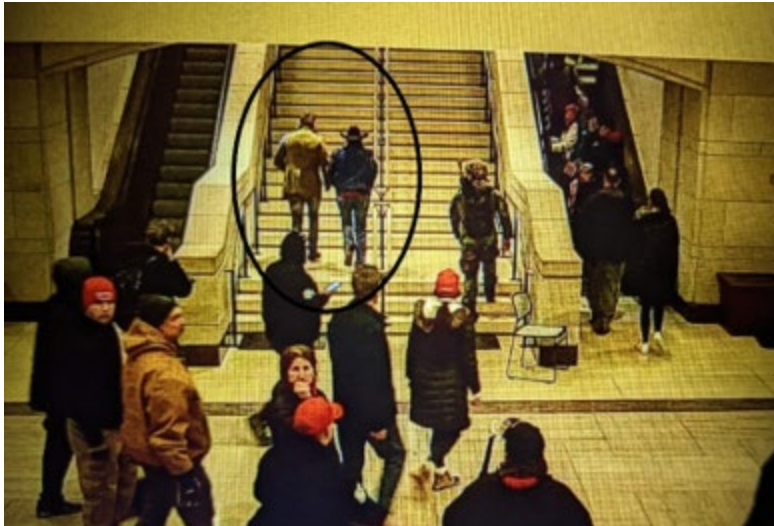
At approximately 2:41p.m. EST, shortly after the physical encounter between members of the crowd and uniformed law enforcement officers, a line of uniformed officers forms in front of a doorway, across from the crowd. KATELYN and TRAVIS BARTOW appear to move to the front of the crowd and stand in between the crowd and uniformed law enforcement officers. Facing the crowd with her back to law enforcement personnel, KATELYN BARTOW appears to be talking to the crowd.



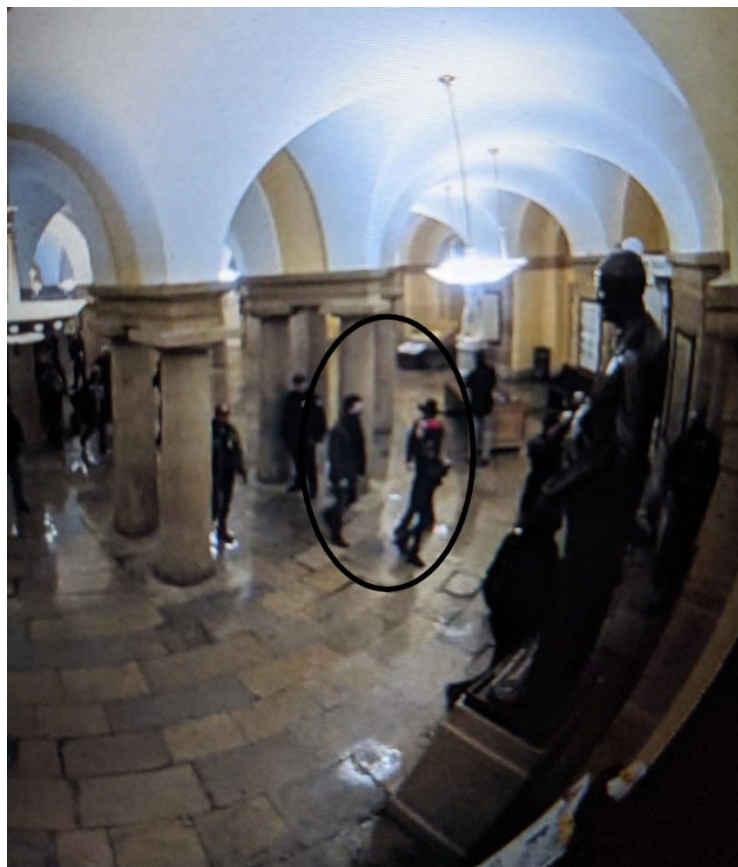
Between the time of 2:44 p.m. and 2:46 p.m. EST, footage shows uniformed law enforcement officers walk toward the crowd and the crowd appears to gather around the officers. As the crowd surrounds the officers, KATELYN and TRAVIS BARTOW move to the center of the crowd. One of the officers appears to speak to the crowd. The crowd then disperses and leaves the CVC South Orientation Lobby area without further incident. KATELYN and TRAVIS BARTOW remain with the uniformed officers and appear to speak with them before leaving the CVC South Orientation Lobby area.



At approximately 2:46 p.m. EST, footage shows KATELYN and TRAVIS BARTOW entering the CVC Orientation Lobby area and then walking up the stairs toward the Crypt area.



At approximately 2:47 p.m. EST, footage shows KATELYN and TRAVIS BARTOW exiting the Crypt area, heading North toward the Senate Wing of the building.



At approximately 2:49 p.m. EST, footage shows KATELYN and TRAVIS BARTOW walking from the hallway, toward the Senate Wing door. They join a large group gathered in the area near the Senate Wing door and wait as the group exits the Capitol building through the door.



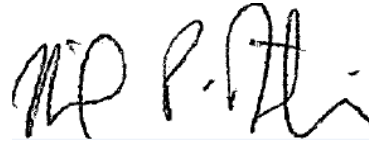
At approximately 2:54 p.m. EST, footage shows TRAVIS BARTOW exiting the building through a window located near the Senate Wing door. KATELYN BARTOW is then observed exiting through the same window, after her brother.



Probable Cause Conclusions

Based on the foregoing, your affiant submits that there is probable cause to believe that KATELYN BARTOW and TRAVIS BARTOW 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 attempt or conspire 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 KATELYN BARTOW and TRAVIS BARTOW 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.



Michael DiCaprio
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 21st day of October 2022.

HONORABLE ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE