

Case: 1:22-mj-259
Assigned To: Magistrate Judge Zia M. Faruqi
Assign. Date: 11/28/2022
Description: Complaint with Arrest Warrant

STATEMENT OF FACTS

Your affiant, Michael Kiley, is a Special Agent assigned to the Federal Bureau of Investigation, Joint Terrorism Task Force (“JTTF”). In my duties as a Special Agent, I am assigned to a National Security Squad to investigate acts of domestic terrorism under state and federal law. 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.

Scott Ray CHRISTENSEN, was identified as an individual who entered the U.S. Capitol for over an hour, until removed by law enforcement.

Holly Dionne CHRISTENSEN, was identified as an individual who entered the U.S. Capitol for over an hour, until removed by law enforcement.

Scott and Holly CHRISTENSEN moved throughout the U.S. Capitol building, including the area of the Rotunda Doors, the Rotunda, the Memorial doors, a second-floor hallway on the Senate side of the building, and a remote hallway on the fourth floor of the building (an area few, if any, others breached). Scott CHRISTENSEN utilized a radio/walkie-talkie style device.

Through open-source research, both Scott and Holly CHRISTENSEN were identified at the Stop the Steal Rally on the morning of January 6, 2021, at the Ellipse. Both CHRISTENSENs were identified in videos on Parler.¹

IMAGES 1 and 2 below are screenshot photographs of Scott and Holly CHRISTENSEN from the Parler videos. **IMAGE 1** depicts Holly CHRISTENSEN outlined in red at 00:24 into the video as part of the crowd at the Stop the Steal rally. Holly CHRISTENSEN can be seen wearing a red and white Trump 45 hat. **IMAGE 2** depicts Scott CHRISTENSEN outlined in red at 00:12 into the video as part of the crowd at the Stop the Steal rally. Scott CHRISTENSEN can be seen wearing black framed glasses and a black Adidas hat.

¹ Holly CHRISTENSEN can be found in the following link:

<https://web.archive.org/web/submit?url=https://video.parler.com/3g/AB/3gAB6v4OZNJx.mp4>

Scott CHRISTENSEN can be found in the following link:

<https://web.archive.org/web/submit?url=https://video.parler.com/4r/s1/4rs13Yn21R1c.mp4>



IMAGE 1



IMAGE 2

The CHRISTENSENs are also seen marching towards the U.S. Capitol on an open-source video entitled “January 6, 2021 Washington, D.C. Protest to Stop The Steal”

https://www.youtube.com/watch?v=DpqrQ1b_Fm8&t=1189

IMAGES 3 and 4 are screenshot photographs of Scott and Holly CHRISTENSEN from this video. **IMAGE 3** depicts Holly CHRISTENSEN outlined in red at 19:48 into the video as

part of the crowd marching to the U.S. Capitol. Holly CHRISTENSEN can be seen wearing a red and white Trump 45 hat; red, white, and blue pattern scarf; and brown coat. **IMAGE 4** depicts Scott CHRISTENSEN outlined in red at 19:50 into the video as part of the crowd marching to the U.S. Capitol. Scott CHRISTENSEN can be seen wearing a blue jacket; blue cowboy hat, with white stars; and carrying a blue, Trump 2020 Keep America Great flag.



IMAGE 3



IMAGE 4

The CHRISTENSENs are also seen on open-source video, entitled “Capitol Riots Raw Footage _ ***Journalistic Purposes Only***” in which they are visible on the grounds of the U.S. Capitol, just outside of the Capitol building.

https://www.youtube.com/watch?v=f80ScBHnNRk&t=901s&ab_channel=Nigrotime

IMAGES 5, 6, 7, and 8 are screenshot photographs of Scott and Holly CHRISTENSEN from this video. **IMAGE 5** depicts Scott CHRISTENSEN outlined in red at 14:53 into the video standing outside of the U.S. Capitol. **IMAGES 6, 7, and 8** depict Scott and Holly CHRISTENSEN outlined in red at 14:55, 15:00, and 15:02 into the video, recording protestors and police on a mobile phone. Scott CHRISTENSEN can be seen wearing a red, white, and blue Team USA soccer scarf and carrying a white pole. Holly CHRISTENSEN can be seen holding a white iPhone in an orange and yellow case.



IMAGE 5



IMAGE 6



IMAGE 7

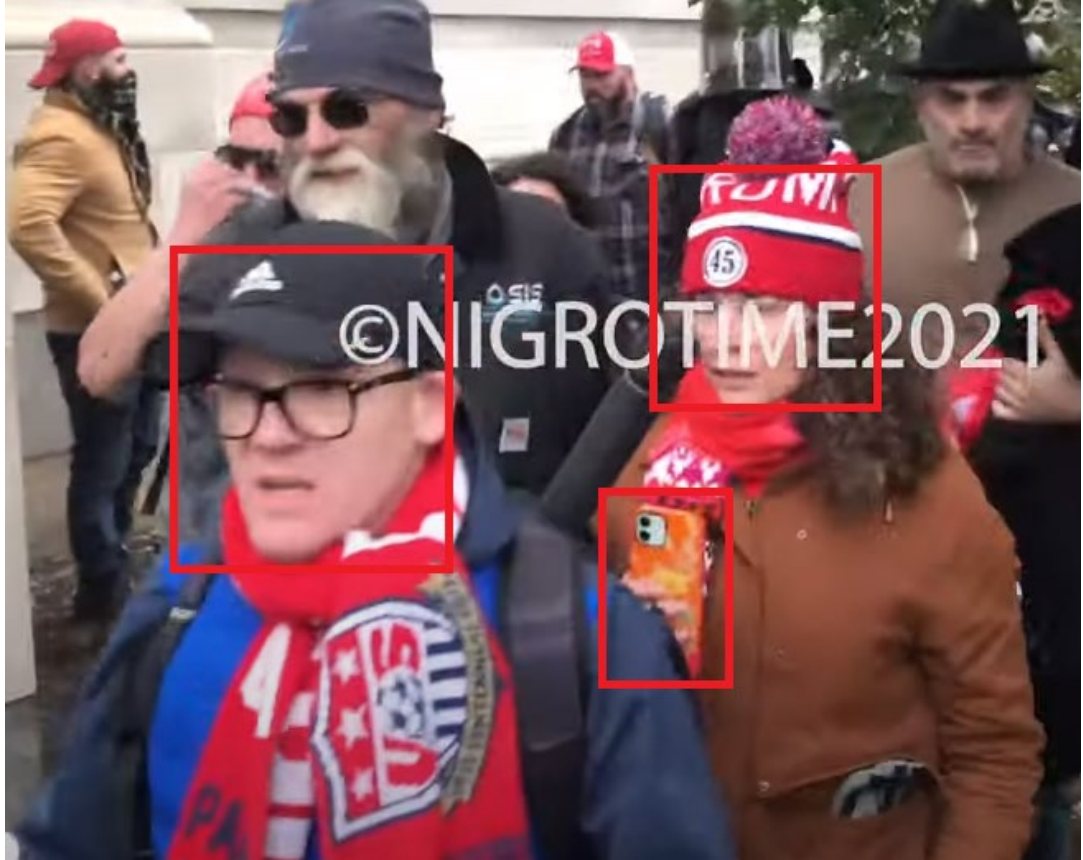


IMAGE 8

The CHRISTENSENs are also seen on open-source, Parler video, just outside of the U.S. Capitol building.

<https://web.archive.org/web/submit?url=https://video.parler.com/qH/JI/qHJlxRcDpqTN.mp4>

IMAGE 9 is a screenshot photograph of Scott and Holly CHRISTENSEN from the Parler video. **IMAGE 9** depicts Scott and Holly CHRISTENSEN outlined in red at 00:15 into the video standing outside of the U.S. Capitol.



IMAGE 9

The CHRISTENSENs are also seen on an open-source, Telegram video on the U.S. Capitol inside of the U.S. Capitol Rotunda. <https://archive.org/details/YXb7jbm5LTzs4tzyv>

IMAGE 10 is a screenshot photograph of Scott and Holly CHRISTENSEN from the Telegram video. **IMAGE 10** depicts Scott and Holly CHRISTENSEN outlined in red at 00:14 into the video standing inside the U.S. Capitol Rotunda recording on a mobile device. Scott CHRISTENSEN can be seen wearing a red, Team USA soccer jersey and holding a black mobile device.

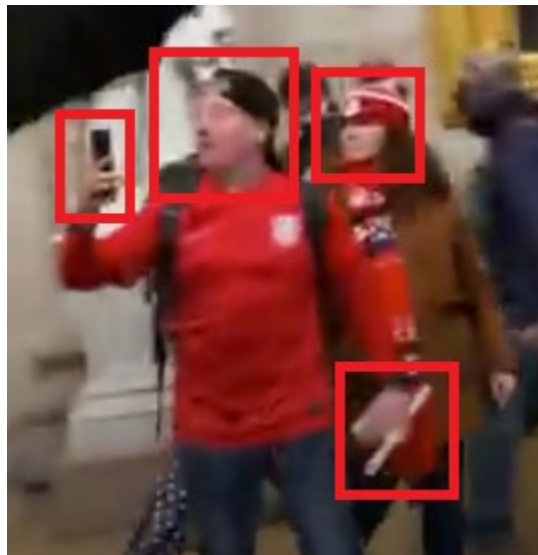


IMAGE 10

The CHRISTENSENs are seen on another open-source video inside of the U.S. Capitol Rotunda in an archive video found at <https://archive.org/details/capital-hill-occupy-ovfr-18>

IMAGES 11 and 12 are screenshot photographs of Scott and Holly CHRISTENSEN from the archive video. **IMAGE 11** depicts Scott and Holly CHRISTENSEN outlined in red at 05:09 into the video, standing inside the U.S. Capitol Rotunda as Scott CHRISTENSEN walks away from Holly Christensen and joins the crowd pushing against the police line in the Rotunda. **IMAGE 12** depicts Scott CHRISTENSEN outlined in red at 16:04 into the video, exiting the U.S. Capitol Rotunda after being involved in a skirmish along the police line in which his belongings fell on the floor, his glasses are removed, and his hat was pushed to the side.



IMAGE 11



IMAGE 12

The CHRISTENSENS are seen on a MSNBC video, entitled “Flash Grenades, Tear Gas Deployed On Exterior Capitol Balcony | MSNBC” just outside of the U.S. Capitol building. https://www.youtube.com/watch?app=desktop&v=IWXic_soQhU&ab_channel=MSNBC

IMAGE 13 is a screenshot photograph of Scott and Holly CHRISTENSEN from the MSNBC video. **IMAGE 13** depicts Scott and Holly CHRISTENSEN outlined in red at 00:50 into the video standing outside of the U.S. Capitol approximately one hour and 32 minutes after they were observed exiting the U.S. Capitol.



IMAGE 13

The CHRISTENSENS were identified throughout the U.S. Capitol, on several CCTV videos and police body worn camera footage.

IMAGE 14 is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 14** depicts Scott and Holly CHRISTENSEN outlined at 2:43:17 PM, standing inside of the U.S. Capitol Rotunda Lobby East Stairs.



IMAGE 14

IMAGE 15 is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 15** depicts Scott and Holly CHRISTENSEN outlined in red at 2:43:21PM, standing inside of the U.S. Capitol Rotunda Door Interior. Scott CHRISTENSEN can be seen with a blue, cowboy hat, with white stars hanging from his black backpack or beltline.



IMAGE 15

IMAGE 16 below is a screenshot photograph of Scott and Holly CHRISTENSEN from Capitol surveillance. **IMAGE 16** depicts Scott and Holly CHRISTENSEN outlined in red at 2:43:21PM, standing inside of the U.S. Capitol Rotunda Door Interior.

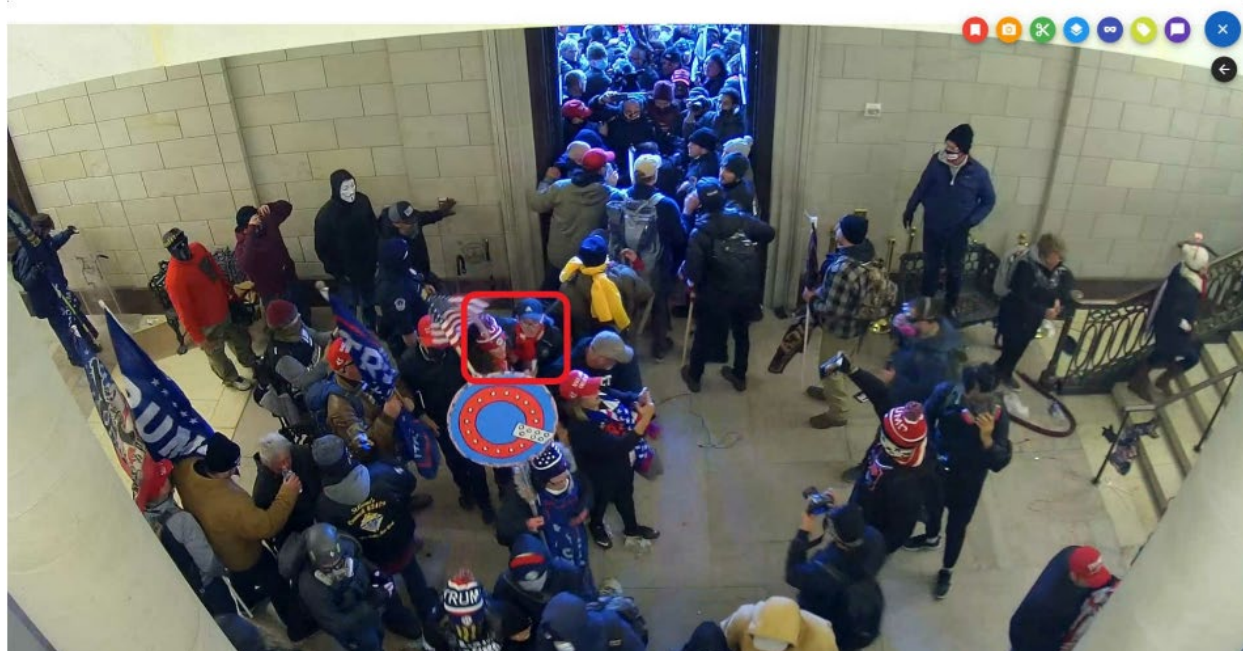


IMAGE 16

IMAGE 17 is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 17** depicts Scott and Holly CHRISTENSEN outlined in red at 2:43:57PM, standing inside of the U.S. Capitol Rotunda.



IMAGE 17

IMAGE 18 is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 18** depicts Scott and Holly CHRISTENSEN outlined in red at 2:47:25PM, standing inside of the U.S. Capitol Rotunda. Scott CHRISTENSEN appears to use his phone to take photos and/or video inside the Rotunda.



IMAGE 18

IMAGE 19 below is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 19** depicts Scott and Holly CHRISTENSEN outlined in red at approximately 2:48:12PM, standing inside of the U.S. Capitol Rotunda. Both appear to be taking photos and/or video on their mobile devices.

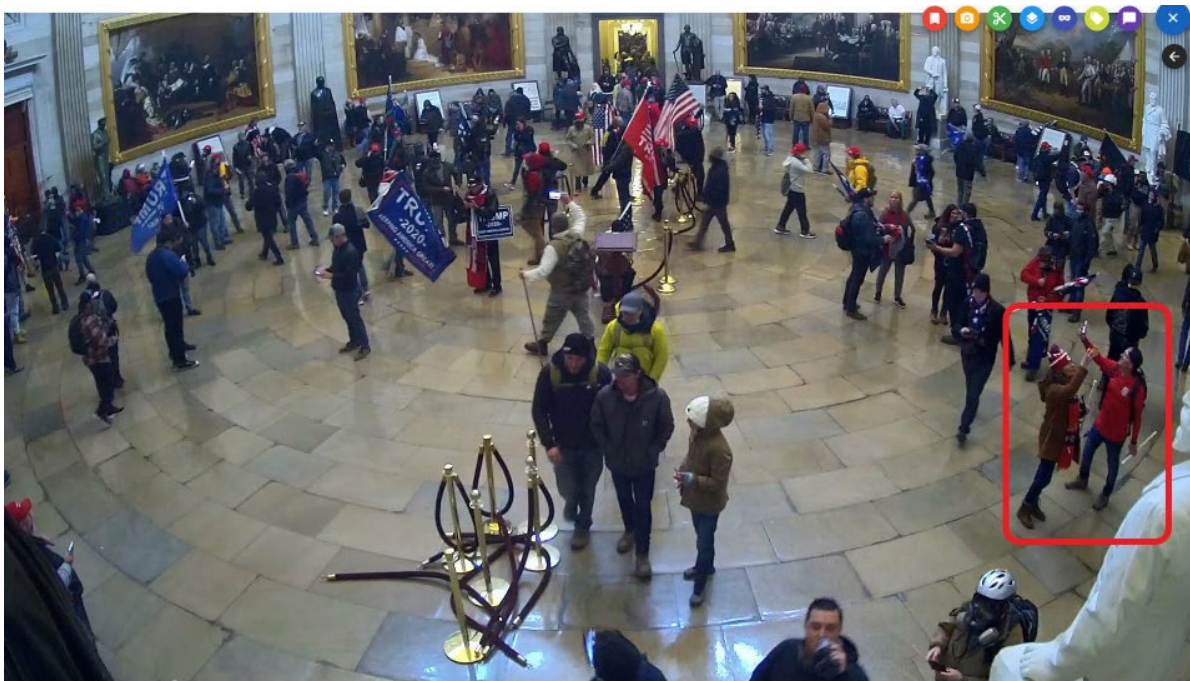


IMAGE 19

IMAGE 20 below is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 20** depicts Scott and Holly CHRISTENSEN outlined in red entering an elevator on the second floor on the Senate side of the building.



IMAGE 20

IMAGE 21 below is a screenshot photograph of Scott CHRISTENSEN. **IMAGE 21** depicts Scott CHRISTENSEN outlined in red at approximately 2:52:42PM on the fourth floor of the Senate side of the U.S. Capitol holding a dark colored handheld radio/walkie-talkie device and a blue, cowboy hat, with white stars hanging from his waistline.



IMAGE 21

IMAGE 22 below is a screenshot photograph of Scott CHRISTENSEN. **IMAGE 22** depicts Scott CHRISTENSEN circled in red at 2:58:25PM, exiting a room on the fourth floor of the Senate side of the U.S. Capitol.



IMAGE 22

IMAGE 23 below is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 23** depicts Scott and Holly CHRISTENSEN at approximately 2:59:25PM, on the fourth floor of the Senate side of the U.S. Capitol.



IMAGE 23

IMAGE 24 is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 24** depicts Scott and Holly CHRISTENSEN outlined in red exiting the elevator banks on the second floor of the Senate side of the U.S. Capitol eight minutes after they were on the fourth floor.



IMAGE 24

IMAGE 25 is a screenshot photograph of Scott and Holly CHRISTENSEN. **IMAGE 25** depicts Scott and Holly CHRISTENSEN outlined in red at approximately 3:00:41PM, back inside the U.S. Capitol Rotunda.



IMAGE 25

IMAGE 26 is a screenshot photograph of Scott CHRISTENSEN. **IMAGE 26** depicts Scott CHRISTENSEN outlined in red at approximately 3:12:20PM, inside of the U.S. Capitol Rotunda Door Interior, in the northwest corner, where he stays for several minutes.

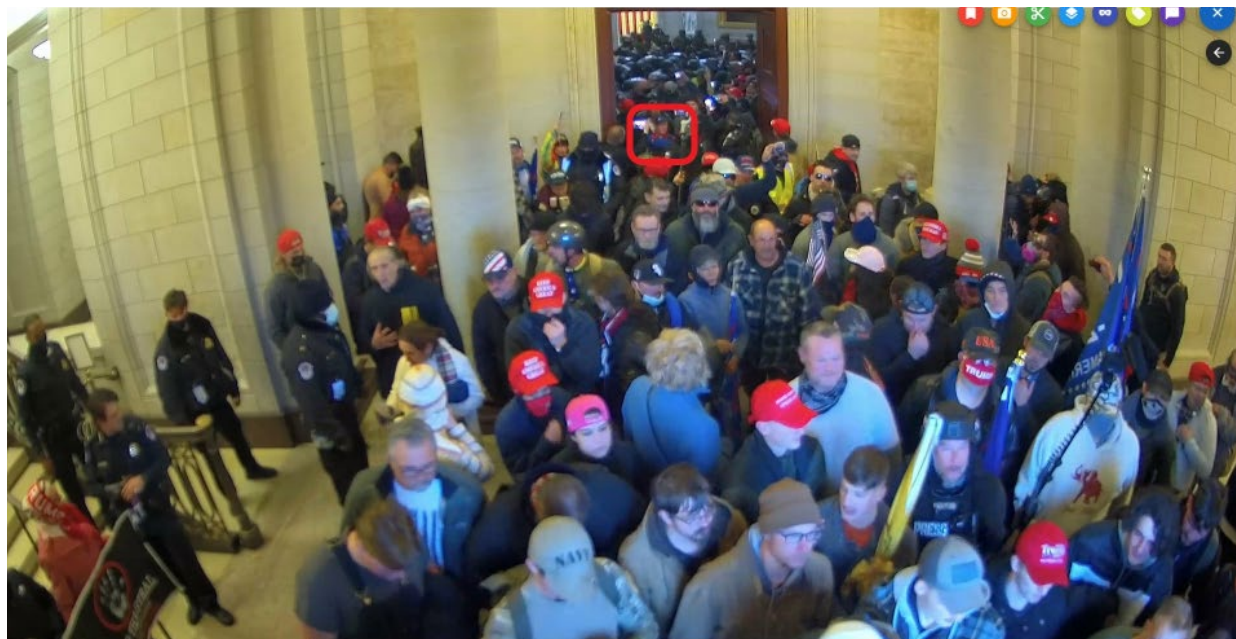


IMAGE 26

IMAGE 27 below is a screenshot photograph of Holly CHRISTENSEN. **IMAGE 27** depicts Holly CHRISTENSEN outlined in red at approximately 3:19:52PM, standing inside of the U.S. Capitol Rotunda with a Police Officer.

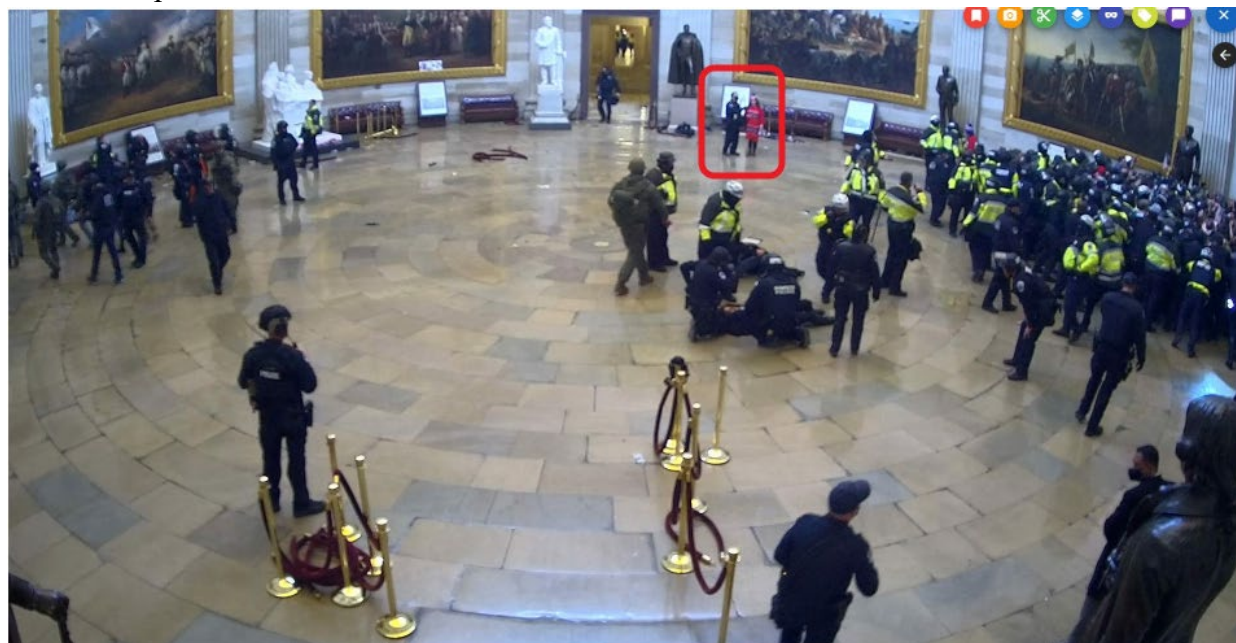


IMAGE 27

IMAGE 28 is a screenshot photograph of Scott CHRISTENSEN from video captured by Metropolitan Police Department (“MPD”) body camera footage. This video depicted the crowd of individuals and officers in the U.S. Capitol Rotunda. At approximately 3:08:19PM, Scott

CHRISTENSEN is observed wearing a black baseball cap, a red fitted shirt with “USA” and a Nike emblem with a red fitted long sleeve underneath, and a red patterned scarf. Scott CHRISTENSEN had a backpack and was carrying a white stick which appeared to have a flag. CHRISTENSEN appeared again on the same video at approximately 3:09:10PM in which he began to speak with some officers. He stated, among other things, “Which amendment are you protecting right now?” before going in and out of screen.



IMAGE 28

IMAGE 29 is a screenshot photograph of Scott CHRISTENSEN from video captured by MPD body camera, which showed Scott CHRISTENSEN in the U.S. Capitol Rotunda. At approximately 3:10:08PM, CHRISTENSEN was talking to the officer who was wearing the body cam. He stated to the officer “Dude I’m from Seattle, we invented this stuff. You guys needs to call the Puyallup...Seattle Police Department.” After this interaction, Scott CHRISTENSEN disappeared from the screen into the crowd.



IMAGE 29

IMAGE 30 is a screenshot photograph of Scott CHRISTENSEN from video captured by MPD body worn camera. At approximately 3:20:50PM Scott CHRISTENSEN was holding and communicating on a black handheld radio/walkie-talkie inside of the U.S. Capitol Rotunda Door Interior. Scott CHRISTENSEN stated in response to an officer, "They got it all closed down dude," while the officer continued to communicate to him and others. Scott CHRISTENSEN continued, "Does it look like I'm going to cause any problems." The officer responded, "Other side of this... (indistinguishable words)." Scott CHRISTENSEN stated to the officer, "Hey you served in the military?...I didn't serve, you served." He continued to state after an unclear response from the officer "... in Iraq, what's worse right now? What's worse Saddam or what's happening?" After this statement, there was a commotion which ended with Scott CHRISTENSEN on the ground and yelling, "My hip, My hip!" Scott CHRISTENSEN was removed from the area by other officers. He appears briefly standing towards the exit of the Rotunda at approximately 3:26:33PM.



IMAGE 30

IMAGE 31 below is a screenshot photograph of the handheld radio/walkie-talkie Scott CHRISTENSEN used from video captured by MPD body camera.

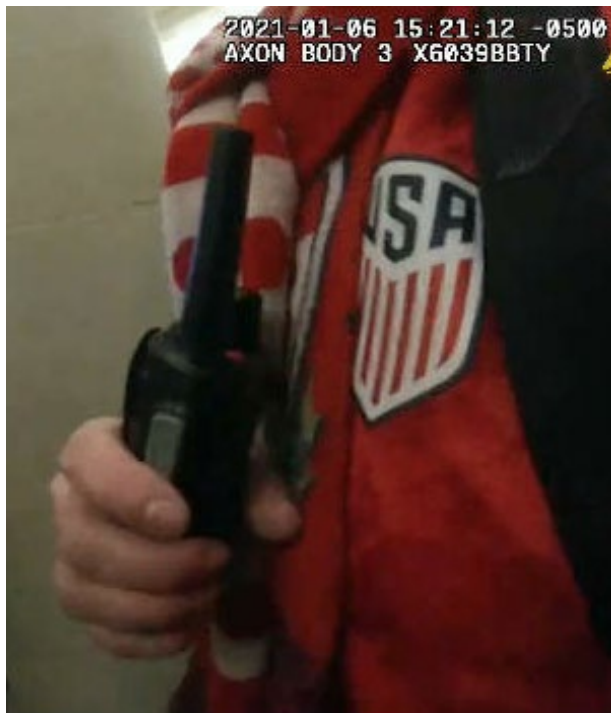


IMAGE 31

IMAGE 32 below is a screenshot photograph of Holly CHRISTENSEN. **IMAGE 32** depicts Holly CHRISTENSEN outlined in red at 3:21:19PM, being escorted out of the U.S. Capitol Rotunda by a Police Officer.

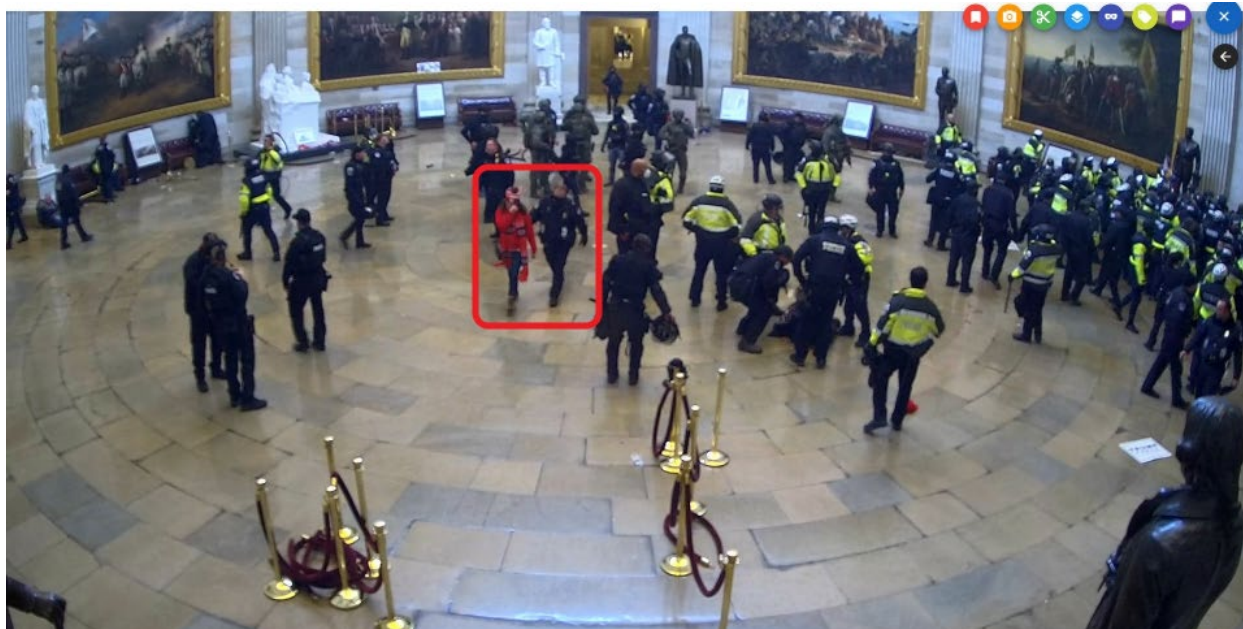


IMAGE 32

IMAGE 33 below is a screenshot photograph of Holly CHRISTENSEN. **IMAGE 33** depicts Holly CHRISTENSEN outlined in red at 3:21:57PM, being escorted out of the U.S. Capitol by Police Officers.

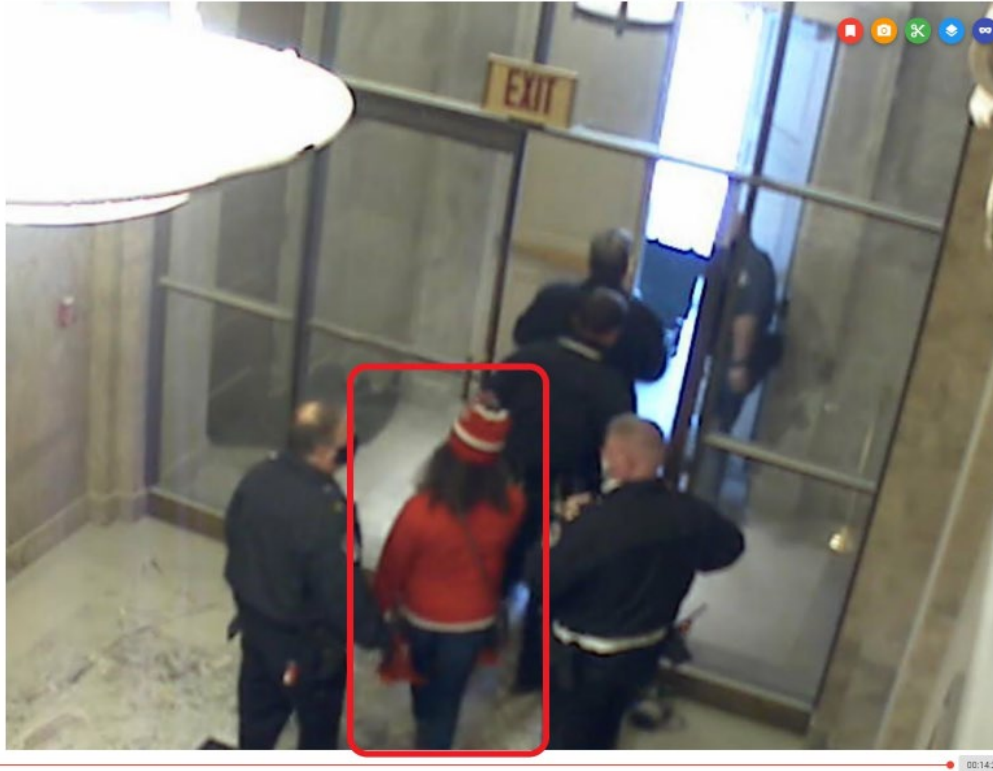


IMAGE 33

IMAGE 34 is a screenshot photograph of Holly CHRISTENSEN. **IMAGE 34** depicts Holly CHRISTENSEN outlined in red at 3:22:07PM, exiting the Memorial Door of the U.S. Capitol.



IMAGE 34

IMAGE 35 is a screenshot photograph of Scott CHRISTENSEN. **IMAGE 35** depicts Scott CHRISTENSEN circled in red at 3:32:15PM, exiting the East Rotunda Door of the U.S. Capitol.

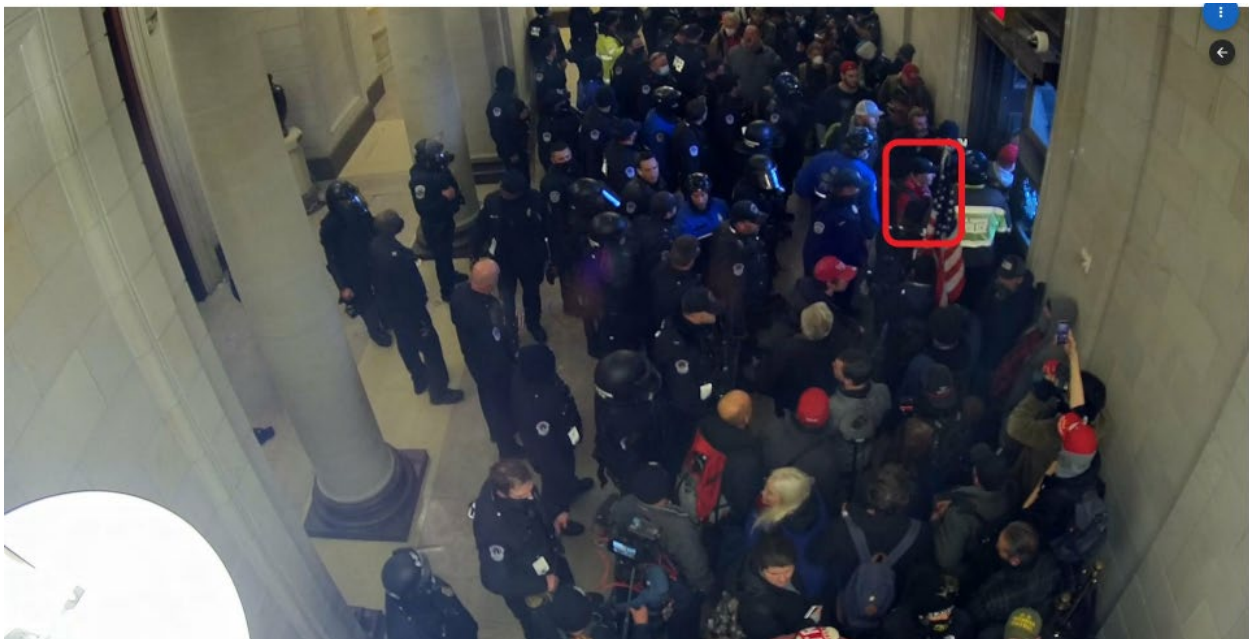


IMAGE 35

IMAGE 36 is a screenshot photograph of Scott and Holly CHRISTENSEN from Holly CHRISTENSEN's Facebook profile, dated October 23, 2021. In the comments of this photo, approximately 13 weeks after the posted date, S***** G*****² asks, "Are you in Florida yet smiley face emoji with sunglasses, umbrella emoji, hearts emoji." Holly CHRISTENSEN responds approximately 13 weeks after the posted date, "S***** G***** not quite! Got another week smiley face emoji."



IMAGE 36

On September 23, 2021, your affiant and Special Agent Marty Trevino met with Witness 1 at a realty office in Puyallup, Washington. Witness 1 advised that s/he knew Scott CHRISTENSEN for 10 years. Witness 1 advised that s/he was Scott CHRISTENSEN's supervisor at a place of employment. Witness 1 confirmed that Scott CHRISTENSEN traveled to Washington, D.C. to attend the Stop the Steal rally, but had no knowledge of Scott CHRISTENSEN entering the U.S. Capitol. Your affiant showed Witness 1 Scott CHRISTENSEN's DMV photo. Witness 1 positively identified the male in the photo as Scott CHRISTENSEN. Witness 1 was then shown three screenshot photographs of Scott Christensen

² This individual's full name is known but redacted.

inside of the U.S. Capitol. Witness 1 reviewed the photographs and positively identified the male in the photographs as Scott CHRISTENSEN. **Image 23**, believed to be Scott CHRISTENSEN and his wife Holly CHRISTENSEN, was shown to Witness 1, who was unable to positively identify the female in the photograph as Holly CHRISTENSEN and stated that the female could have Scott CHRISTENSEN's daughter.

On January 28, 2022, your affiant and Special Agent Kathryn Hamstra met with Witness 1 a second time, again in Puyallup, WA. Witness 1 advised that s/he knew Holly CHRISTENSEN since 2015, when Holly worked at that business in Puyallup. Your affiant showed Witness 1 **IMAGE 36**. Witness 1 positively identified the male in the photo as Scott CHRISTENSEN and the female in the photo as Scott CHRISTENSEN's wife. Witness 1 was unable to remember Holly CHRISTENSEN's first name. Witness 1 was then shown **IMAGE 1**. Witness 1 could not identify the woman in the red square but did recognize the male with the black hat and black glasses as Scott CHRISTENSEN, stating that it was clearly his profile. Witness 1 was then shown **IMAGE 2**, Witness 1 identified the male in the red square as Scott CHRISTENSEN. Witness 1 identified both Scott and Holly CHRISTENSEN in **IMAGE 7** and **IMAGE 8**, noting that s/he was able to identify Holly CHRISTENSEN in **IMAGE 8** due to her distinctive hair. Witness 1 identified Scott CHRISTENSEN in **IMAGE 12**. Witness 1 then identified both Scott and Holly CHRISTENSEN in **IMAGE 13**. Witness 1 then identified Scott Christensen in **IMAGE 29** and **IMAGE 30**. Witness 1 stated that the images made him/her sad.

According to records obtained through legal process served on AT&T, cellphones associated with (XXX) XXX-2454 and (XXX) XXX-2704 ("the devices") were 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, on January 6, 2021, from 2:43 EST to 3:51 EST. AT&T records confirm that both devices belong to Scott CHRISTENSEN of Puyallup, Washington.

Based on the foregoing, your affiant submits that there is probable cause to believe that Scott CHRISTENSEN and Holly CHRISTENSEN, 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.

Your affiant submits there is also probable cause to believe that Scott CHRISTENSEN and Holly CHRISTENSEN 40 U.S.C. § 5104(e)(2) 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 Kiley FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 28th day of November 2022.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE