

STATEMENT OF FACTS

Your affiant, Jennifer Morin, is a Special Agent assigned to the Boston Division of the Federal Bureau of Investigation, Worcester Resident Agency Office. In my duties as a Special Agent, I have investigated white collar crime, crimes in Indian Country and violent crime. 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, including JACQUELYN STARER (STARER), of Ashland, Massachusetts, as described below.

On or about January 11, 2021, a tipster (“Tipster-1”) submitted an online tip to the FBI regarding “a Dr. Jacqueline Starer, MD, of Massachusetts.” Tipster-1 stated they were aware prior to the events of January 6, 2021 that STARER planned to attend a march on the Capitol. According to Tipster-1, prior to January 6, 2021, STARER bragged to a mutual acquaintance that she “was prepared” for it, with a mesh knife-proof shirt and bottles of pepper spray. Tipster-1 reported no direct knowledge on whether STARER breached the U.S. Capitol Building, or if she remained in public areas.

Following the information from Tipster-1, law enforcement gathered and reviewed records and public information about STARER. Law enforcement also gathered and reviewed open-source video and images and surveillance footage capturing multiple images of STARER participating in the riot at the U.S. Capitol on January 6, 2021.

STARER is a practicing physician licensed to practice medicine in Massachusetts. STARER is enrolled as a provider in the Medicare program, and Medicare provider enrollment documents indicate her phone number is (***)***-4866 and her address is in Ashland, Massachusetts.

Law enforcement obtained subscriber information for the phone number (***)***-4866 from Verizon. The information from Verizon identifies the subscriber as “Jacquelyn [sic] Starer” and the subscriber’s home address is the same as the address in the Medicare provider enrollment documents in Ashland, Massachusetts. The records from Verizon also indicate that phone number (***)***-4866 utilized a cell site consistent with providing service to Washington, D.C. on January 6, 2021.

A review of hotel records by your affiant showed that STARER reserved a room at the Kimpton George Hotel, located at 15 E Street, N.W. in Washington, D.C. According to the George Hotel, STARER had a reservation at the hotel for January 5, 2021 through January 7, 2021. Records from the George Hotel also indicate STARER was billed for the stay through a third-party booking agency.

Law enforcement reviewed Massachusetts Registry of Motor Vehicles records for STARER. Law enforcement used FBI analytic techniques to compare STARER’s most recent driver’s license photo from the Massachusetts Registry of Motor Vehicles to videos and photos taken at and around the U.S. Capitol on January 6, 2021.

STARER was observed via open-source video at the “Stop the Steal” Rally in Washington, D.C. on January 6, 2021. In Images 1 and 2 below, STARER is pictured wearing red colored clothing, including a red hat with blue and white stripes with the word TRUMP and number 45

written on it, a red jacket, red scarf, and a backpack. STARER is also pictured wearing a dark colored skirt and boots.



Image 1



Image 2

Law enforcement officers reviewed surveillance video from cameras mounted within the U.S. Capitol Building and observed STARER entering the East Rotunda Doors at approximately 2:51 p.m. Images 3 and 4 below are images from surveillance video, and STARER is circled in red.



Image 3

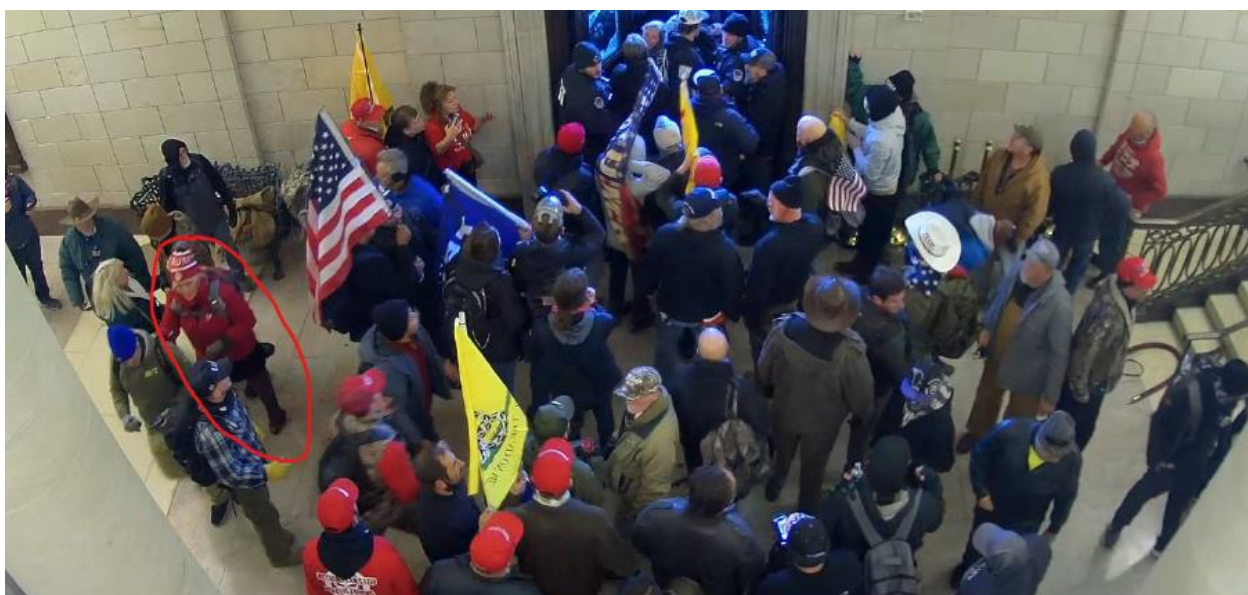


Image 4

Open-source video and images also depict STARER inside the U.S. Capitol on January 6, 2021. Image 5 is a photo from Getty Images of STARER in the Rotunda.



Image 5

Law enforcement officers reviewed surveillance videos and body-worn cameras worn by members of the Metropolitan Police Department (“MPD”) that recorded STARER inside the Rotunda area of the U.S. Capitol Building on January 6, 2021. In sum, the body-worn camera footage recorded that, at approximately 2:58 p.m., a group of MPD and United States Capitol Police officers were standing at the top of the stairs off of the west side of the Capitol Rotunda.

The body-worn camera footage records STARER approach MPD officers and make contact with an MPD officer at approximately 2:59 p.m. Images 6, 7, and 8 below depict STARER striking an MPD Officer at approximately 2:59 p.m.



Image 6



Image 7



Image 8

Law enforcement identified the officer in question as Officer M.B., who was interviewed regarding the events of January 6, 2021. Officer M.B. is an MPD Officer who responded to the Capitol during the riot. Officer M.B. stated that a blonde woman wearing a red jacket and hat punched her in the left side of her head. According to Officer M.B., her Sergeant pulled her back to check on her, Officer M.B. told the Sergeant she had been punched by the woman, and the Sergeant told her to return to the line. Officer M.B. stated that the blonde woman came at her again, and Officer M.B. struck the woman in response. During her interview, Officer M.B. recognized the blonde woman who hit her at timestamp 14:59:28 in footage taken from her body-worn camera.

Based on your affiant's review of open-source video and images, the crowd became more agitated and a physical altercation between rioters and officers ensued as the officers attempted to restrict the rioters from passing through the archway entrance to the area behind them. STARER appears to have been affected by the chemical irritant that was deployed during the altercation.

Surveillance and open source video and images show that after the altercation, STARER exited the U.S. Capitol. Surveillance video from cameras mounted within the U.S. Capitol Building records STARER exiting the U.S. Capitol from the the East Rotunda Doors at approximately 3:06 p.m. Images 9 and 10 below are images from surveillance video, and STARER is circled in red. STARER appears to be wearing a red jacket, blue vest and dark colored skirt with dark colored boots.

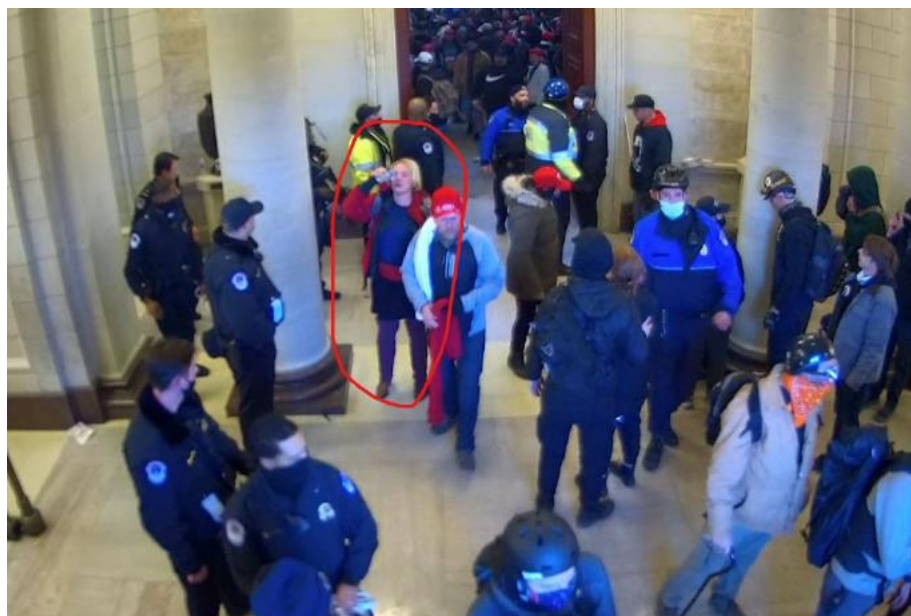


Image 9

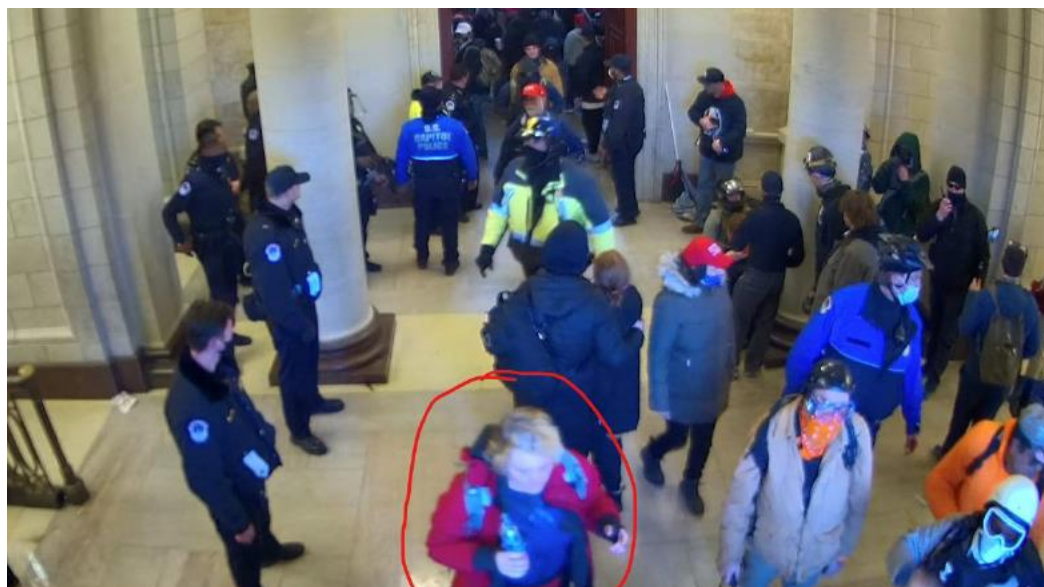


Image 10

Additional reviews of open-source video show STARER on January 6, 2021 exiting the east side of the U.S. Capitol Building. Image 11 is a Getty Images photo of STARER walking away from the Capitol.



Image 11

Other open-source video and images appear to show STARER receiving first aid assistance to her eyes and face. Image 12 below is an image of STARER outside of the Capitol building. STARER appears to be wearing a dark colored jacket, blue vest and a red colored waistpack.



Image 12

On or about May 25, 2022 and July 28, 2022, your affiant interviewed Witness-1, an individual who has worked with STARER. On or about May 25, 2022, Witness-1 was shown a copy of STARER's most recent driver's license photo, and identified the person as STARER. After looking at the photo, Witness-1 stated "Oh! that's Jackie Starer." On or about July 28, 2022, your affiant showed Witness-1 a simultaneous series of five (5) photos, Images 13-17, taken on or about January 6, 2021. When asked if Witness-1 recognized the person in the photographs, Witness 1 stated "that's Jackie, I mean JACQUELINE STARER." Witness-1 initialed and dated each photograph that Witness 1 identified STARER in.



Image 13



Image 14



Image 15



Image 16



Image 17

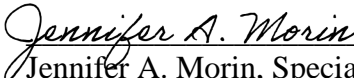
Based on the foregoing, your affiant submits that there is probable cause to believe that JACQUELYN STARER violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault or interfere with any person designated in Section 1114 of Title 18 while engaged in or on account of the performance of official duties and involved physical contact. Persons designated within Section 1114 include any person assisting an officer or employee of the United States in the performance of their official duties.

Your affiant submits there is also probable cause to believe that JACQUELYN STARER 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 federally 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.

Your affiant submits there is also probable cause to believe that JACQUELYN STARER violated 18 U.S.C. § 1752(a)(1), (2), and (4), 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; (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; 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.

Finally, your affiant submits there is also probable cause to believe that JACQUELYN STARER violated 40 U.S.C. § 5104(e)(2)(D), (F), and (G), which makes it a crime to willfully (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; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Jennifer A. Morin, 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 16th day of December 2022.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE