

STATEMENT OF FACTS

Your affiant, William Anthony Floyd, is a Senior Federal Air Marshal/Task Force Agent assigned to Fort Worth FBI - Joint Terrorism Task Force. In my duties as a special agent, I have conducted investigations of international and domestic terrorism and am currently assigned to a squad investigating domestic terrorism. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a federal law enforcement 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.

Farris's Involvement in the Events of January 6, 2021

After the riot on January 6, 2021, law enforcement reviewed body-worn camera (BWC) footage from numerous officers of the District of Columbia Metropolitan Police Department (MPD) and publicly available video posted by ZumaPress on the internet video platform Vimeo. According to these videos, an initially unidentified individual, later identified as Jason FARRIS of Frisco, Texas, assaulted law enforcement officers on the Upper West Plaza of the Capitol on January 6, 2021. The videos depicted FARRIS violently shoving an U.S. Capitol Police Officer to the ground while that officer was attempting to maintain a police line protecting the Capitol.

In the photograph below, labeled Image 1, which was taken by the U.S. Capitol Police, FARRIS can be seen at the front of the crowd on the North side of the Lower West Plaza of the Capitol, a location that was restricted from lawful public access. FARRIS can be seen, wearing a red hat, sunglasses, black jacket, and black backpack, engaging with police officers who have established a line to prevent rioters from advancing further into the restricted areas of the Capitol.



Image 1: U.S. Capitol Police Crime Scene Photo

In MPD BWC video, taken at approximately 2:15 p.m., FARRIS can be seen advancing toward a line of police officers who were using metal bicycle racks as a barricade to prevent the rioters from moving further into the restricted areas of the Capitol. FARRIS stated to the police officers: “I bet your family is proud of you, fucking faggot ass. You ain’t shit. Ain’t none of you shit.” Image 2 below shows FARRIS talking to the officers.



Image 2: MPD Body-worn camera video

As he said this, FARRIS can be seen using his hand to hit the baton held by of one of the police officers, as depicted in Image 3.



Image 3: MPD Body-worn camera video

Moments later, other rioters grabbed one of the metal bicycle racks and attempted to pull it away from the police officers. Several police officers held onto the bicycle rack to prevent it from being taken by the rioters. FARRIS approached a U.S. Capitol Police officer from behind, while he was attempting to hold onto the bicycle rack. FARRIS shoved the Capitol Police officer in the back with two hands, knocking him to the ground. Image 4 below shows FARRIS about to push the officer.



Image 4: MPD Body-worn camera video

The assault by FARRIS was captured on BWC from multiple angles. Images 5 and 6 depict FARRIS just after he has shoved the officer to the ground.



Image 5: MPD Body-worn camera video



Image 6: MPD Body-worn camera video

The attack was also captured on video by a third-party, who posted it publicly on the internet. Image 7 below is a still shot from this video that shows FARRIS using both hands to shove the officer to the ground.



Image 7: <https://vimeo.com/500625255>

After FARRIS pushed the officer to the ground, other rioters succeeded in pulling the bicycle rack away from the police and dragging it into the crowd.

Identification of Farris as the Individual in the Video

The identity of the individual who shoved the officer in the videos, later determined to be FARRIS, was initially unknown. The unidentified individual was included as BOLO AFO-322 in an FBI Seeking Information poster which was subsequently disseminated by the FBI Office of Public Affairs. A photo from BOLO AFO-322 is shown below as Image 8.



Image 8: BOLO AFO-322 Photo

On October 1, 2021, a member of the public called the FBI National Threat Operations Center to report a tip. The tipster stated that an individual named Jason Aaron Farris (possibly spelled Ferris) had told others that he was in Washington D.C. during the insurrection and resembled the person in BOLO AFO-322. On November 2, 2021, law enforcement interviewed the tipster, who provided additional information about FARRIS, including his place of employment, his email address, and his telephone number.

Lawfully obtained records from T-Mobile confirmed that the phone number provided by the tipster was associated with FARRIS.


On December 8, 2021, law enforcement officers interviewed a second individual, Individual-2, who had frequent, in-person contact with FARRIS in Arlington, Texas. Individual-2 was shown the photograph in BOLO AFO-322 and positively identified FARRIS as the person in the picture. Individual-2 told law enforcement that FARRIS stated he went to Washington D.C. during the riot and went to the outside of the Capitol building but did not go inside.

Violations of Federal Law

Based on the foregoing, your affiant submits that there is probable cause to believe that FARRIS 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; (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; and (4) knowingly engage 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.

Additionally, there is probable cause to believe that FARRIS violated 18 U.S.C. § 111(a)(1), which makes it a crime for anyone to forcibly assault, resist, oppose, impede, intimidate, or interfere with any United States law enforcement officer while that officer is engaged in the performance of their official duties.

Finally, your affiant submits there is probable cause to believe that FARRIS 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.



William Anthony Floyd
Senior Federal Air Marshal/Task Force
Agent

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 3rd day of February, 2023.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE