

## STATEMENT OF FACTS

Your affiant, Bela Schuler, is a Special Agent assigned to the Federal Bureau of Investigation. In my duties as a special agent, I am assigned to a Counterterrorism squad, focused on investigating criminal activities associated with Homegrown Violent Extremists. I have completed training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures. 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 January 6, 2021 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.

On or about May 25, 2022, an FBI CHS who has been deemed credible and reliable through previous reporting provided open source media images of Stacey Lynn Stephens along with videos, wherein Stephens is observed inside of the U.S. Capitol building on January 6, 2021. The CHS also provided photographs of still shots where Stephens is seen in the videos inside the Capitol. The CHS included identification of possible physical attributes that align between the open source images (Images 1-4 below) and the images from the U.S. Capitol on January 6, 2021.



*Image 1*



*Image 2 (Stephens indicated with the yellow box)*



*Image 3 (close-up of Stephens from Image 2)*

*Image 4 (Stephens depicted on the left on January 6, 2021)*



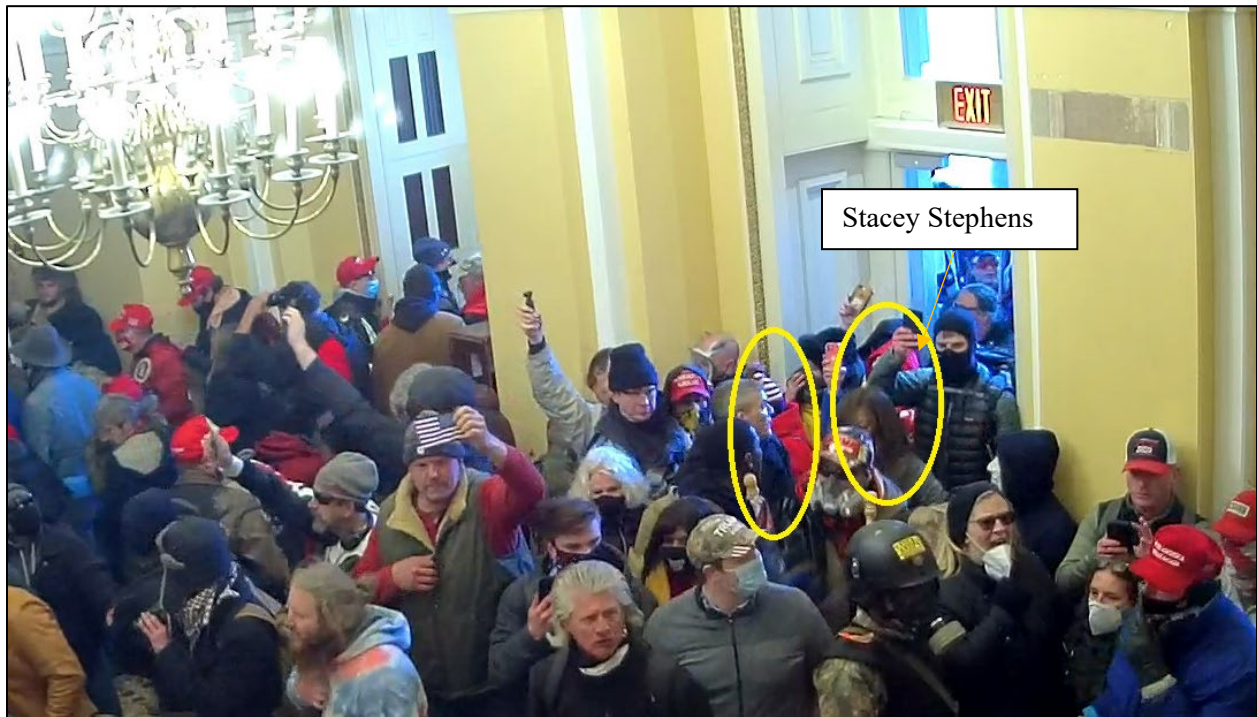
*Image 4 (Stephens indicated in the yellow circle)*

FBI WFO reviewed CCTV footage of the U.S. Capitol on January 6, 2021. United States Capitol Police (“USCP”) images and surveillance footage of subject believed to be Stephens outside the U.S. Capitol prior to entry, entry into the Capitol, and exit from the Capitol. Below are images taken from the aforementioned video footage; Stephens is identified in the majority of the photos with a yellow circle. Stephens is observed outside the Senate Wing Door at approximately 2:50 p.m., as shown in Images 5 and 6 below.



*Image 5 and 6 (Open source footage from January 6, 2021)*

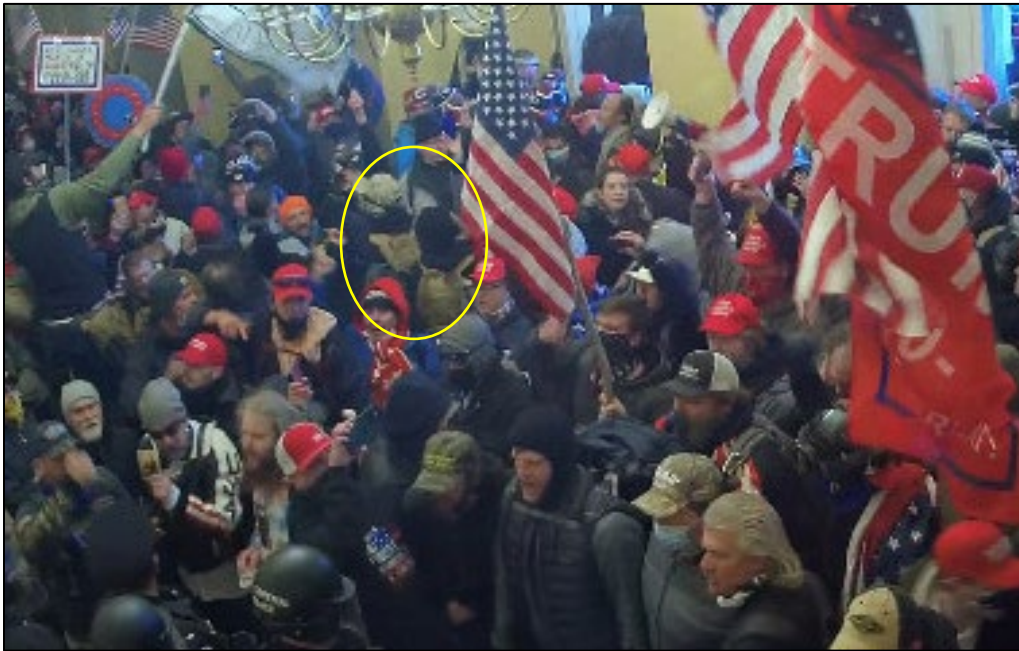
Stephens enters the Senate Wing Door at approximately 2:50 pm as shown in Images 7-9 below.



*Image 7 (USCP CCTV, Senate Wing Doors, at appx. 2:50 pm)*



*Image 8 (USCP CCTV, Senate Wing Doors, at appx. 2:50pm)*

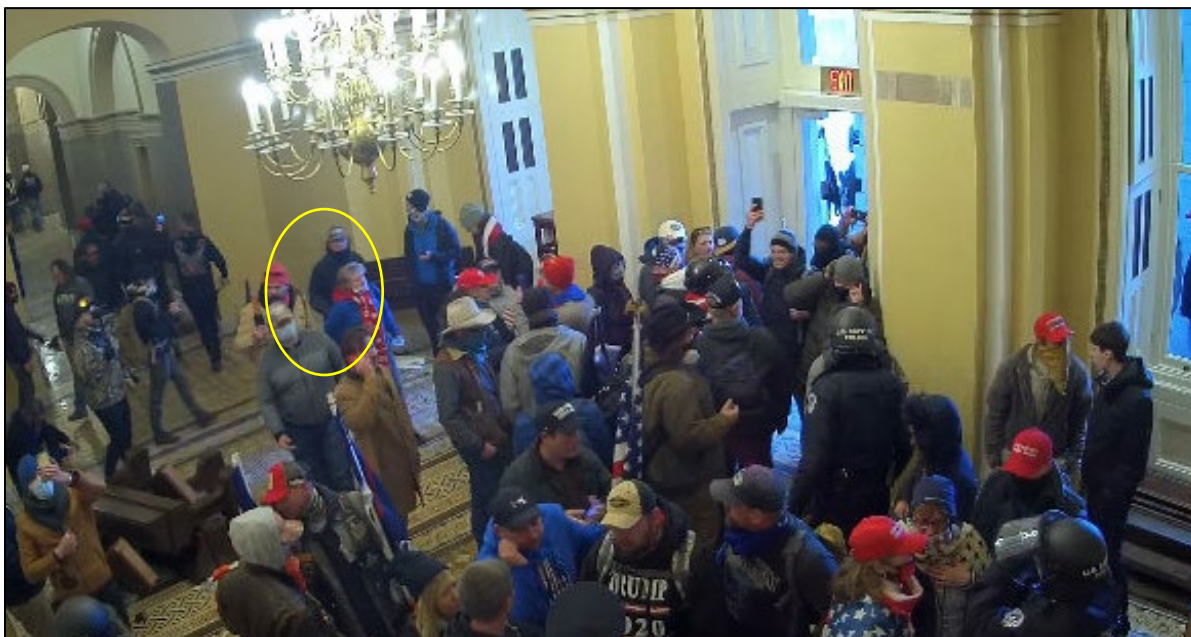


*Image 9 (USCP CCTV, Senate Wing Doors, at appx. 2:52pm)*

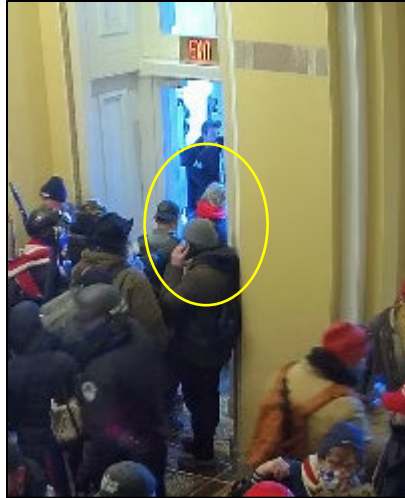
After entering via the Senate Wing Doors, Stephens followed fellow rioters south toward the Crypt, returning and exiting via the Senate Wing Doors approximately fifteen minutes later, at 3:05 pm, and as depicted in Images 10-12 below.



*Image 10 (USCP CCTV, Senate Wing Doors, at appx 3:05pm)*



*Image 11 (USCP CCTV, Senate Wing Doors, at appx 3:05pm)*



*Image 12 (USCP CCTV, Senate Wing Doors, at appx 3:05pm)*

Pursuant to legal process, agents reviewed Facebook records for account with a display name of Stacey Lynn. The Facebook account also listed Stephens' phone number; XXX-XXX-2428. Pursuant to legal process, agents also reviewed Verizon records and confirmed Stephen's phone number and physical address; XXXX Fairview Ln., Broad Run, VA, and the phone number listed on Stephen's Facebook account matches the phone number Stephens has with Verizon.

Pursuant to legal process, agents also reviewed Stephens' bank records which indicated that Stacey L. Stephens had a JP Morgan Chase account ending in 7174 that had two \$10 transactions on January 6, 2021 titled "Metro 103-Vienna Fairfax VA".

On August 10, 2022, FBI Special Agents interviewed Stacey Stephens at her residence. Stephens stated that she and her mother, Linda Carpenter, went to see President Trump speak on the National Mall on January 6, 2021. Stephens and Carpenter traveled to Washington, D.C. via the metro. Stephens was dressed in red, white, and blue and wore a Trump hat and a red 2020 Trump scarf. During the interview, Stephens confirmed what she was wearing by viewing a photo shown to her by the Agents.



*Image 13 (Photo shown to Stephens during interview)*

Stephens stated that she entered the U.S. Capitol to protect her elderly mother, to make sure she would remain safe among the crowd. Stephens and Carpenter were inside the U.S. Capitol for approximately five minutes.

Based on the foregoing, your affiant submits that there is probable cause to believe Stacey Stephens 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 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.



Your affiant submits there is also probable cause to believe that Stacey Stephens violated 40 U.S.C. § 5104(e)(2)(D) which makes it a crime to 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 and (G) to willfully and knowingly parade, demonstrate, or picket in any of the Capitol Buildings.



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Special Agent Bela Schuler  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 24th day of March 2023.

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HONORABLE ZIA M. FARUQUI  
UNITED STATES MAGISTRATE JUDGE