

Case: 1:23-mj-00098
Assigned To : Harvey, G. Michael
Assign. Date : 5/4/2023
Description: Complaint W/ Arrest Warrant

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (“FBI”) and has been so employed since February 2009. I have been assigned to the Vernal Resident Agency of the Salt Lake Division of the FBI since August 2021. Prior to working with the FBI, I was a police officer with the Salt Lake City, Utah Police Department. Through my employment with the FBI and the Salt Lake City, Utah Police Department, I have gained knowledge in the use of various investigative techniques, including but not limited to conducting physical surveillance, conducting interviews, obtaining information through administrative and grand jury subpoenas, preparing and executing federal search warrants, preparing reports, and reviewing electronic evidence. As an FBI agent, I am authorized to investigate violations of federal law and am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C).

Currently, I am tasked with investigating criminal activity in and around the U.S. Capitol grounds on January 6, 2021. Since I became involved in this investigation, I have reviewed public tips, reviewed publicly available photos and video, and reviewed relevant documents, among other things.

The facts in this affidavit come from my review of the evidence, my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. Except as explicitly set forth below, I have not distinguished in this affidavit between facts of which I have personal knowledge and facts of which I have hearsay knowledge. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

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 Odin Meacham

Following the January 6, 2021, attack on the Capitol, your affiant reviewed multiple videos derived from open-source databases, as well as both footage from body-worn cameras (“BWC”) of officers with the Metropolitan Police Department (“MPD”) who responded to the Capitol on January 6, 2021, and closed circuit video (“CCV”) maintained by the United States Capitol Police (“USCP”). During that review, your affiant observed a subject breaching the west side of the Capitol building of the U.S. Capitol and committing assaults on USCP and MPD officers at approximately 2:09 p.m., 2:14 p.m., and 2:16 p.m., as detailed further below. The subject, later identified as ODIN MEACHAM (“MEACHAM”), is a white male with brown hair. On January 6, 2021, he was wearing a light green jacket with a fur-lined hood and blue jeans.

On June 4, 2021, the FBI included MEACHAM, then an unknown male subject, in its “Seeking Information” list. The FBI posted a “Be on the Lookout” (“BOLO”) for the individual depicted below (at the time referred to as “400-AFO”):



Photograph #400 - AFO F



Photograph #400 - AFO D



Photograph #400 - AFO E

Your affiant compared the BOLO photos of MEACHAM (from January 6, 2021) to MEACHAM's 2014 U.S. passport application and to Utah driver's license photos of MEACHAM. The individual depicted in the BOLO photos appeared to be the person depicted in the passport and driver's license photos.

On March 13, 2023, law enforcement conducted a voluntary interview with a known individual (hereinafter "Witness 1") at the Vernal Resident Agency of the FBI Salt Lake Division of the FBI. Witness 1 has known MEACHAM for many years. Upon showing Witness 1 the BOLO photos of 400-AFO depicted above, Witness 1 stated that the individual in the images is ODIN MEACHAM and that Witness 1 was positive the individual in the photos was MEACHAM. Witness 1 further stated that Witness 1 knew that MEACHAM had traveled back to Washington, DC around the time of January 6, 2021.¹

Odin Meacham's Conduct on January 6th, 2021

Based on my review of body-worn camera ("BWC") footage and publicly available video, I observed the following:

¹ In August 2022, an FBI agent telephonically interviewed another individual ("Individual 1") known to have associated with Meacham on at least one occasion. Individual 1 agreed to look at the photos of an individual at the U.S. Capitol on January 6, 2021, via email and state whether he knew said individual. Before receiving the photos, Individual 1 asked the FBI Agent if he would get into trouble if he did not cooperate with the FBI. He was told no. Individual-1 was then shown five of Meacham's 400-AFO pictures, including 400-AFO D and 400-AFO F, depicted above. Individual 1 stated that he did not recall ever seeing the individual in the photos provided.

By approximately 2:09 p.m. on the west side of the Capitol building, significant sections of the police line, largely maintained with metal bike racks, were breaking as the rioters in the crowd swarmed and overwhelmed the officers. At 2:09 p.m., MEACHAM emerged from the crowd and attempted to pull a bike rack away from the officers, as depicted in the image below.



Several seconds later, MEACHAM rushed towards several officers and struck at least one USCP Officer ("Victim Officer 1") on the upper body with a large wooden pole, as depicted by the images below.



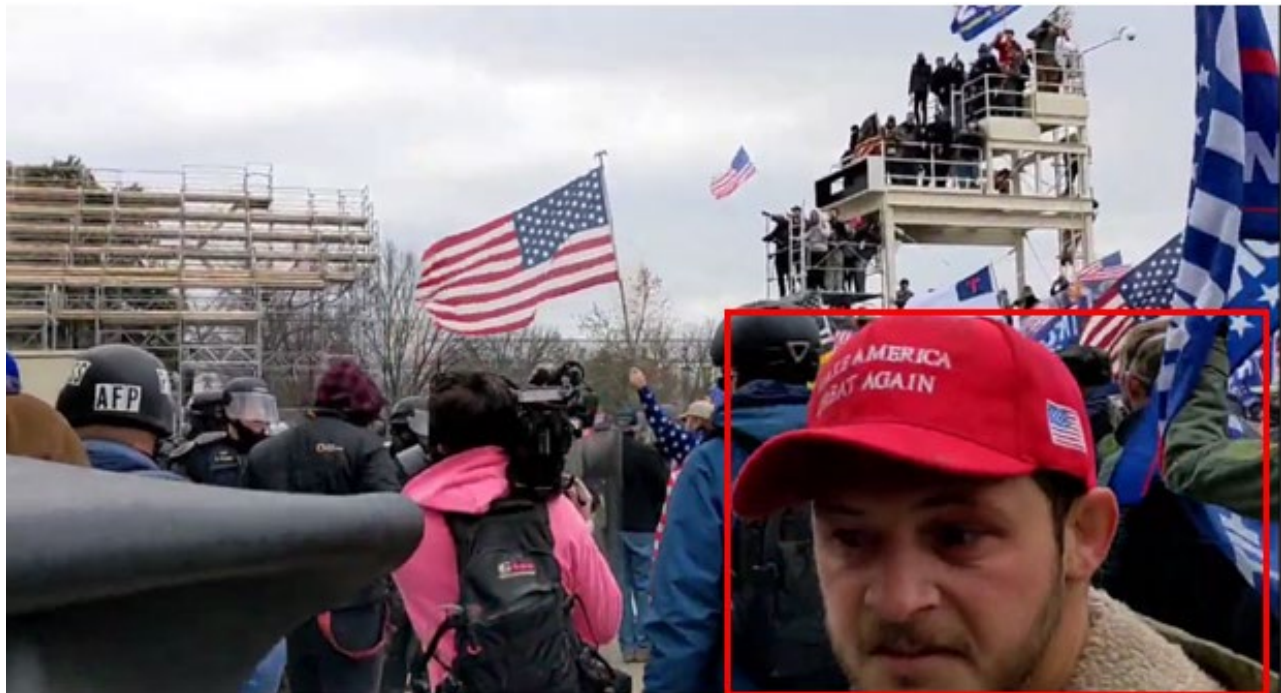




At approximately 2:14 p.m. on the west side of the Capitol building, MEACHAM picked up what appears to be and sounded like a black metallic pole from the ground. Approximately thirty seconds later, MEACHAM threw the black pole at an MPD officer ("Victim Officer 2"), hitting Victim Officer 2 on his left hand.

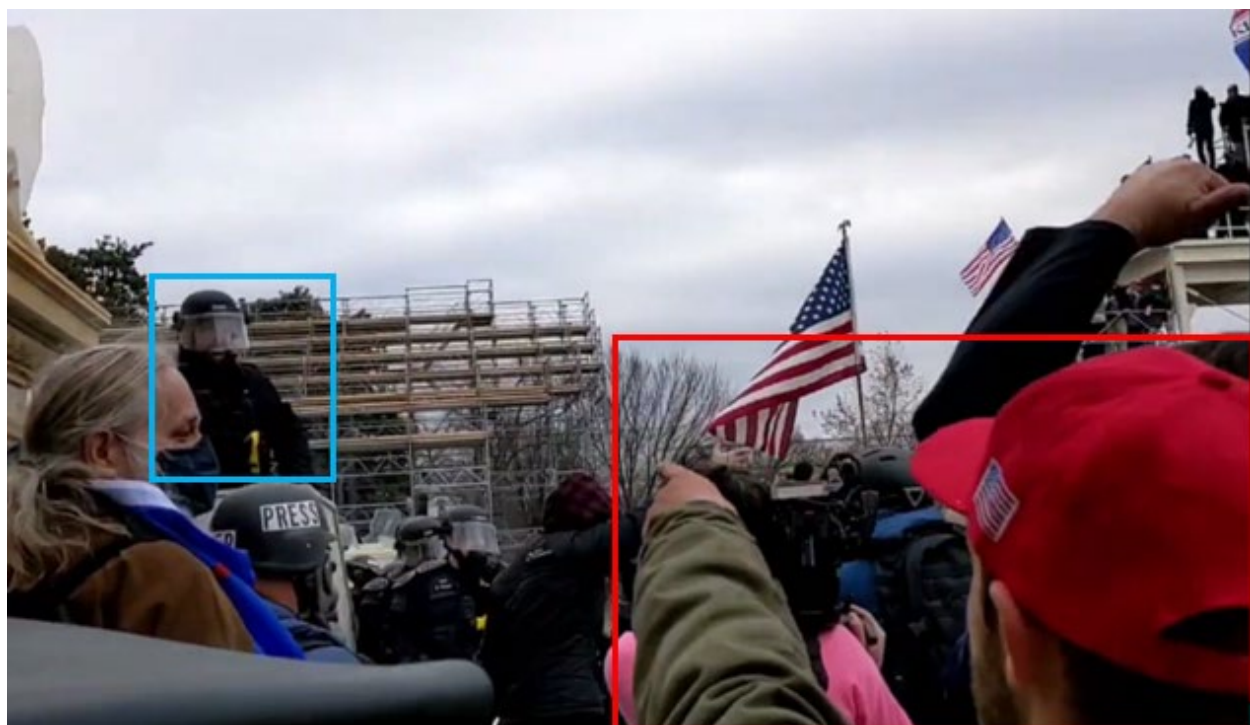




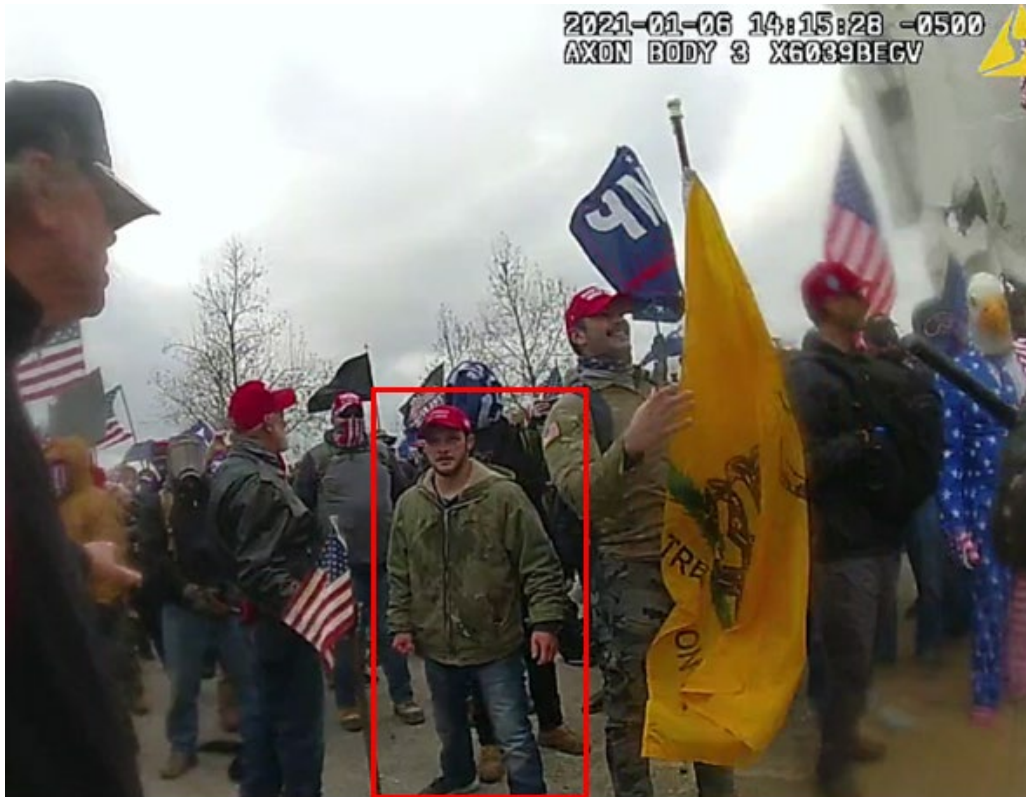


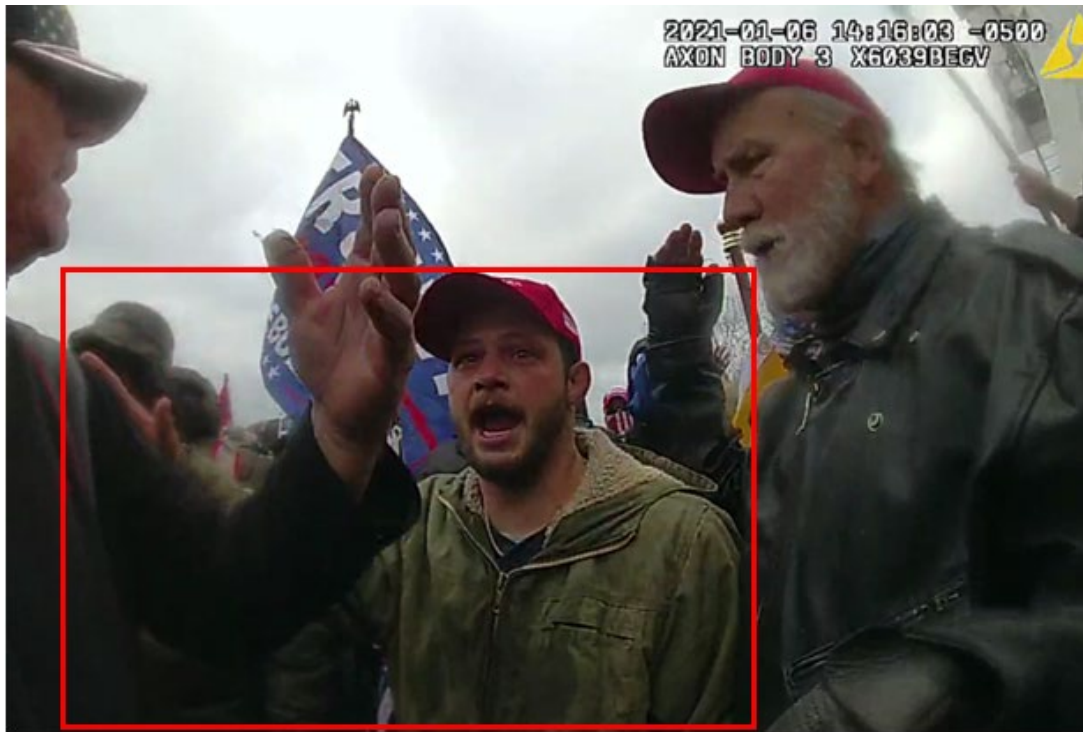


Several seconds later, MEACHAM pointed and shouted at Victim Officer 2 in what appears to be a taunting manner.



At approximately 2:16 p.m., MEACHAM emerged from the crowd and approached an MPD officer (“Victim Officer 3”). MEACHAM then shouted, “lean in!” multiple times while simultaneously signaling towards the crowd with his right hand in an apparent effort to galvanize the crowd to approach and overwhelm the officers. MEACHAM then grabbed and attempted to take possession of Victim Officer 3’s baton, as depicted in the images below. MEACHAM was ultimately unsuccessful in his attempt.







Based on the foregoing, your affiant submits there is probable cause to believe MEACHAM violated:

- (a) 18 U.S.C. §§ 111(a)(1) and 111(b), which make it unlawful to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in Section 1114 of Title 18 while engaged in or on account of the performance of official duties, while using a deadly or dangerous weapon. For purposes of Section 111 of Title 18, United States Capitol Police Officers constitute persons designated in Section 1114 of Title 18.
- (b) 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.
- (c) 18 U.S.C. §§ 1752(a)(1), (2), and (4), and 1752(b)(1)(a), 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 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; and punish the commission of such acts using or carrying a deadly or dangerous weapon or when significant bodily injury is inflicted. 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.

- (d) 40 U.S.C. § 5104(e)(2)(F), which makes it a crime to willfully and knowingly engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 4th day of May, 2023.

HONORABLE G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE