

STATEMENT OF FACTS

Case: 1:23-mj-00119  
Assigned To : Upadhyaya, Moxila A.  
Assign. Date : 6/6/2023  
Description: Complaint W/ Arrest Warrant

Your Affiant, John Miller, is a Special Agent with the Federal Bureau of Investigation (“FBI”), assigned to the Indianapolis Field Office. I am a graduate of the FBI Academy in Quantico, Virginia and have been an FBI Special Agent for approximately three years. I have investigated allegations associated with international terrorism, domestic terrorism, and interstate threatening communications. 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. In addition to my regular duties, I am also currently reviewing public tips, videos, and documentation, among other evidence, associated with the riots and civil disorder that occurred on January 6, 2021 in and around the United States Capitol. Prior to entering on duty as a Special Agent with the FBI, I worked as an English Monitor Analyst with the Federal Bureau of Investigation, performing information analysis and transcribing recorded content.

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 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, shortly 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.

## FACTS RELATED TO WILLIAM LANCE WILKERSON

### 1. Initiation of Investigation into William Lance Wilkerson (WILKERSON)

On January 8, 2021, law enforcement learned of WILKERSON’s Facebook posts indicating WILKERSON’s participation at United States Capitol Riot on January 6, 2021.

The Facebook profile for the account had the username “Wm Lance Wilkerson” and URL <https://www.facebook.com/william/wilkerson.1983>. The profile contained a selfie photograph of himself (Exhibit 1 with WILKERSON circled in red) at the National Monument that was shared on January 6, 2021. The posing included a comment shared six days before January 13, 2021, stating, “I made it here showing my colors.” WILKERSON also shared what appeared to be a video of people moving around the front of a United States Capitol Building barrier on January 6, 2021 (Exhibit 2). WILKERSON does not appear in the screenshot shared with the FBI. Both images are included below.

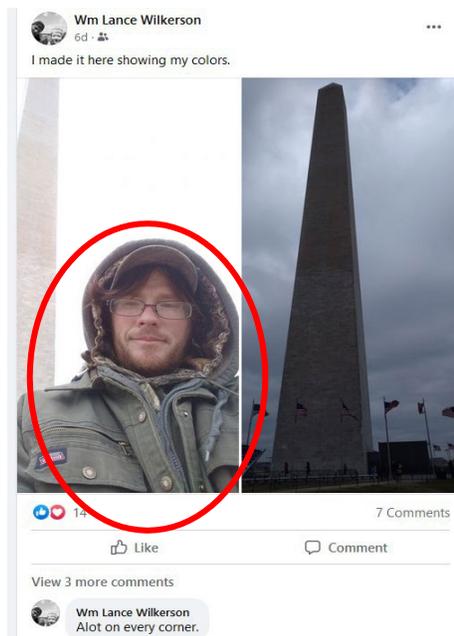


Exhibit 1

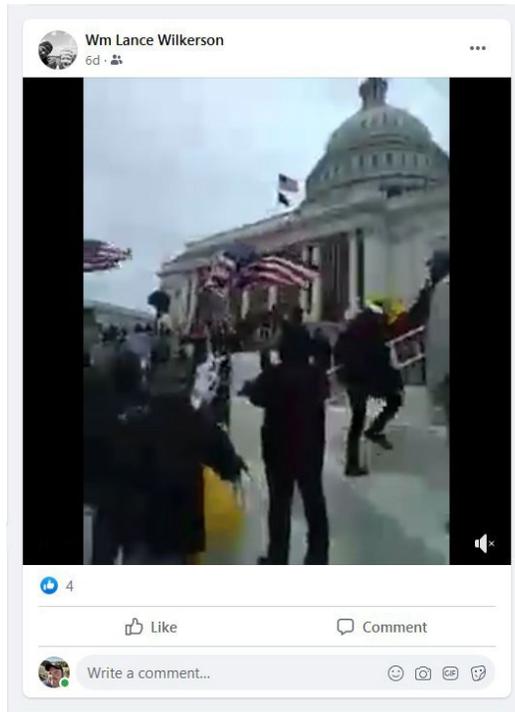


Exhibit 2

WILKERSON also submitted on that day a Facebook comment stating, "Standing up for your rights is also being part of the mass. I did my part today!" (Exhibit 3).



Exhibit 3

Additionally, WILKERSON submitted a post on January 7, 2021, stating, "Real patriots did infiltrate the capitol. I watched it happen. The media is all lies unless they were there." (Exhibit 4).

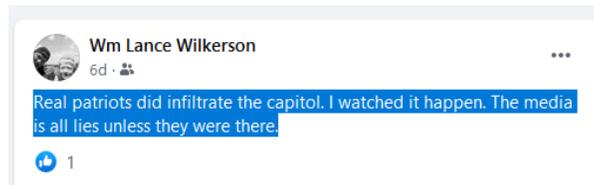


Exhibit 4

WILKERSON also shared a Facebook image, January 10, 2021, from "Americans Are Pissed" stating, "The Declaration of Independence Says We Have the Right to Overthrow the Government..... The Declaration of Independence says that we not only have the right but we also have the duty to alter or abolish any government that does not secure our unalienable rights, including life, liberty, and the pursuit of happiness." The shared image also contains the text stating, "IF THAT'S THE CASE, I GUESS NOBODY BROKE THE LAW (rubbing chin emoji)" (Exhibit 5).



Exhibit 5

## 2. Confirmation of Trespass into the Capitol Building

A review of Capitol CCTV and other publicly available videos confirmed that WILKERSON entered the U.S. Capitol Building on January 6, 2021. On that day, WILKERSON appeared to wear a camouflage-colored hooded jacket under a grey hooded sweatshirt. He also appeared to wear a Confederate flag draped across his back.

As seen in the Capitol CCTV video, WILKERSON entered the U.S. Capitol Building through the Senate Wing door at approximately 3:24 PM EST (Exhibit 6).

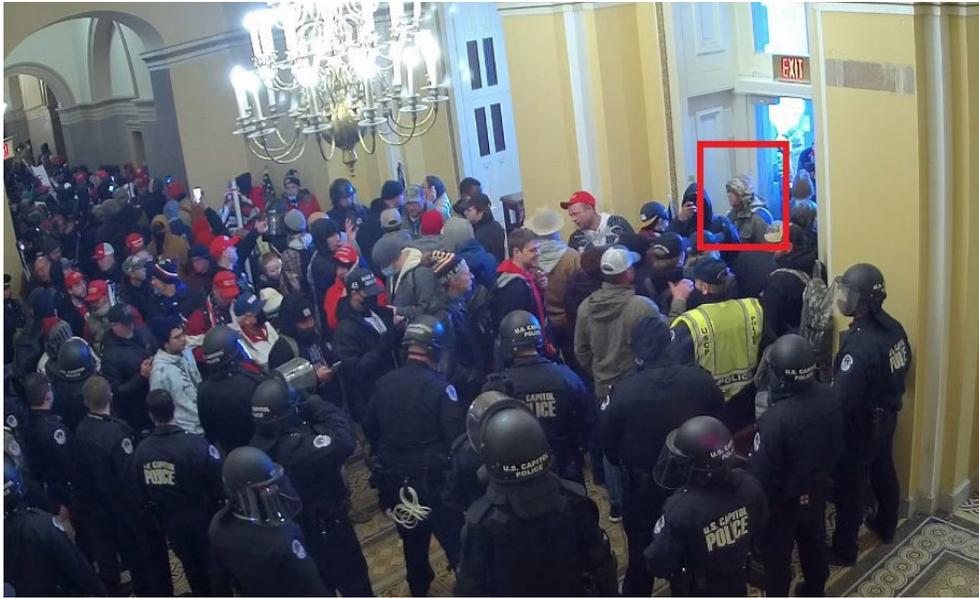


Exhibit 6

WILKERSON then turned southward and, at approximately 3:25 PM EST, walked down the entrance hallway in the direction of the Crypt. While walking, WILKERSON raised what appears to be a cellphone in a manner consistent with recording photos or video. (Exhibit 7).

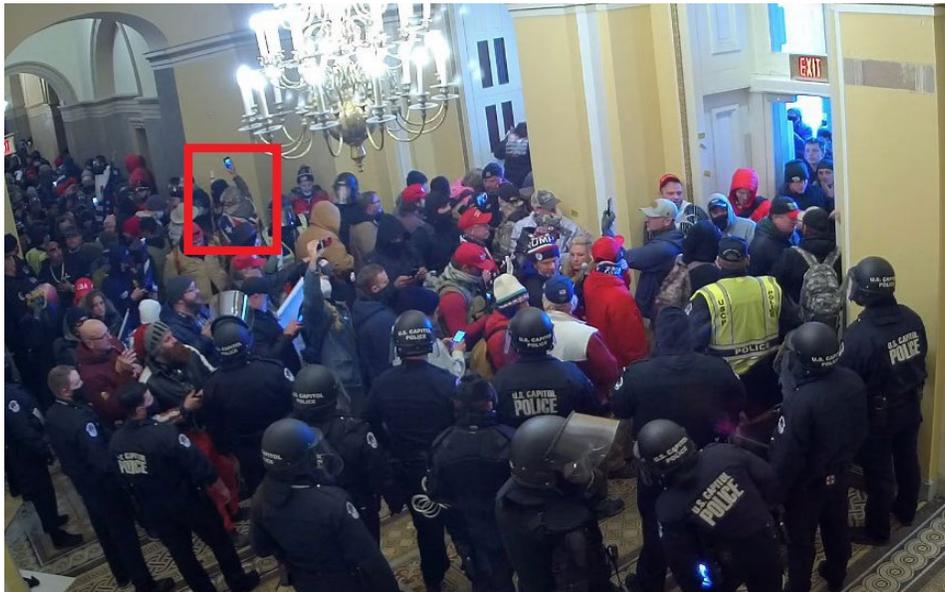


Exhibit 7

At approximately 3:26 PM EST, WILKERSON turned around before reaching the hallway to the Crypt, pulled a covering over his mouth, and walked in the direction of the Senate Wing Door. (Exhibit 8).



Exhibit 8

WILKERSON then waited for approximately three minutes beside the Senate Wing Door until exiting the Senate Wing Door at approximately 3:29 PM EST. WILKERSON's total time spent inside the United States Capitol Building was approximately five minutes.

Additional publicly-available footage captures different angles of WILKERSON's actions seen in the above video references. One video captures WILKERSON as he stands among a crowd of individuals in the interior of the Senate Wing Door Room, facing a hallway. Wilkerson appears to hold a cellphone up in a manner consistent with taking photographs or video. (Exhibit 9).<sup>1</sup>

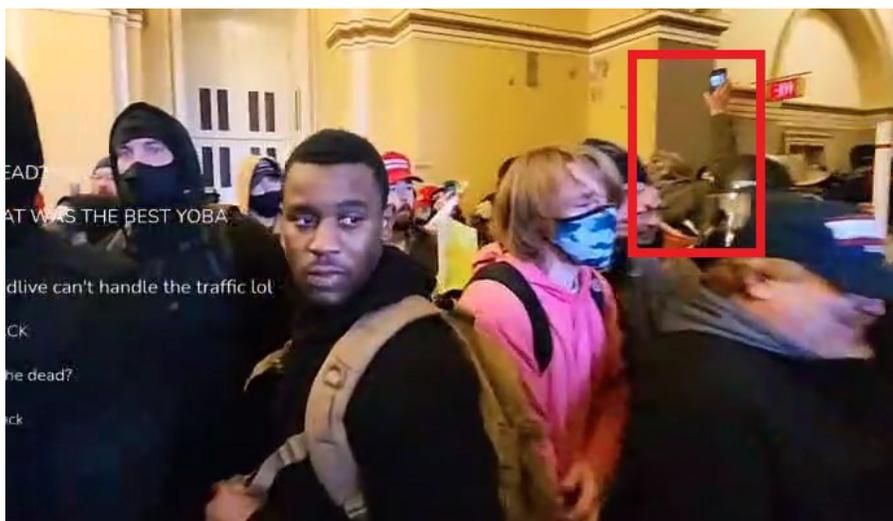


Exhibit 9

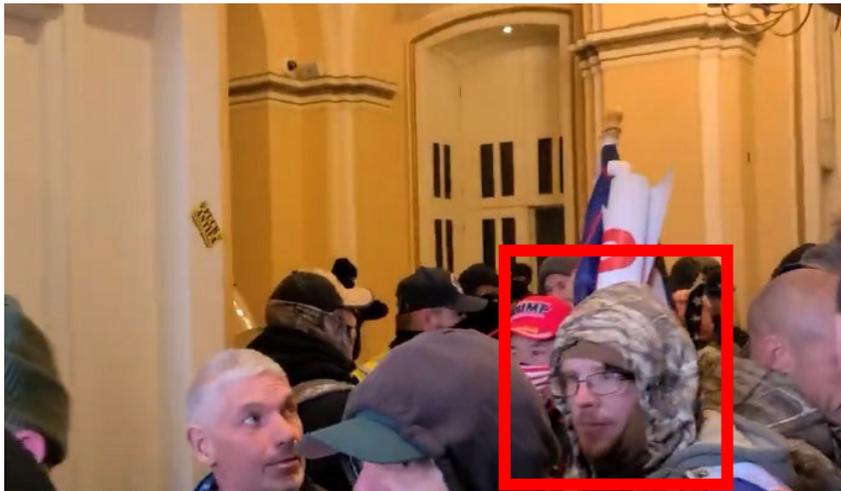
<sup>1</sup> Exhibit 9 is a cropped screenshot taken from timestamp [00:00:13] of video "DLive – BakedAlaska - TRUMP RALLY DC-w-QvhT-Gg.mp4"

WILKERSON then walks back towards the camera, and stands directly in front of the camera, before walking past the camera on the left side of the screen. WILKERSON is not visible in the remainder of the video. (Exhibit 10).<sup>2</sup>



Exhibit 10

Another video captures WILKERSON exiting the Senate Wing Door Room. In the video, WILKERSON appears to emerge from the position indicated in Exhibit 8 and proceeds to walk out the doorway. (Exhibit 11).<sup>3</sup>



<sup>2</sup> Exhibit 10 is a cropped screenshot taken from timestamp [00:01:14] of video “DLive – BakedAlaska - TRUMP RALLY DC-w-QvhT-Gg.mp4”

<sup>3</sup> Exhibit 11 is a cropped screenshot taken from timestamp [00:07:21] of video “YouTube - The Allen Report (UC5NJlt5YSHA62ozQbD\_fe8Q)”

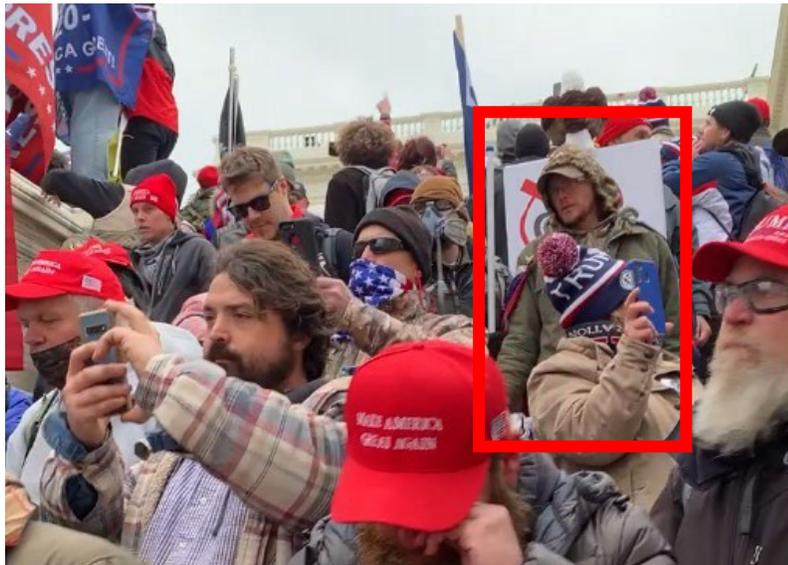
Exhibit 11

Additional publicly available video footage also captured WILKERSON on an upper terrace of the Capitol Building, standing behind a crowd of protestors. At the end of the video, WILKERSON raised his hands to his mouth and shouted something unintelligible while lowering his hands. (Exhibit 12).<sup>4</sup>



Exhibit 12

Another publicly available video captures WILKERSON walking down the stairs from an upper terrace of the United States Capitol Building. (Exhibit 13).<sup>5</sup>



<sup>4</sup> Exhibit 12 is a cropped screenshot taken from timestamp [00:01:12] of video “EMOLLI\_MVI\_2431”

<sup>5</sup> Exhibit 13 is a cropped screenshot taken from timestamp [00:03:55] of video “Woman Killed in Shooting After Capitol Building Stormed by Violent Protesters”

## Exhibit 13

**3. WILKERSON's Identification**

Database checks for WILKERSON revealed that a "William Lance Wilkerson", date of birth (DOB) xx/xx/1983, resided at a home address of in Bedford, IN. Initial comparisons of WILKERSON's Indiana Driver's License photograph to Capitol CCTV and open-source video appeared to indicate a match based on facial features, lines, and facial hair patterns.

On January 13, 2022, FBI requested database checks from local law enforcement based on social media information indicating that WILKERSON may have resided in Greene County, Indiana. During the course of those database checks, the Greene County Sheriff's Department located four images of WILKERSON's previous visits to JB Salvage, Inc, a salvage yard located at 1803 Fountain Dr, Bloomington, IN 47404. Because Indiana state law requires valuable metal dealers to verify a driver's license when receiving valuable metal, JB Salvage recorded and associated WILKERSON's photograph with the name presented on his photographic ID at the time of the visit. JB Salvage's records indicated that WILKERSON visited the location on December 14, 2020. In the photograph included below (Exhibit 14), WILKERSON stands inside a JB Salvage lobby wearing what appears to be the same jacket that he wore in the Capitol Building on January 6, 2021.



Exhibit 14

On February 10, 2022, FBI Bloomington interviewed Witness 1, who was shown the Exhibit 1 and 11 of WILKERSON inside the Capitol Building. Witness 1, who has a personal relationship with WILKERSON for over several years, recognized the person in the image as WILKERSON. Witness 1 indicated WILKERSON had expressed an intent to join a rally in Washington DC.

Witness 1 also provided law enforcement with WILKERSON's last known telephone number of (xxx) xxx-9285 (Phone 9285). Law enforcement obtained a search warrant for call detail records this number from Verizon. The records indicated that the Phone 9285 is associated with a Verizon device specified as a Samsung SM-S111DL, IMEI 35701329288324, which was

present within the cell phone tower geographic boundaries for the United States Capitol Building between the hours of 1300 and 1830 on January 6, 2021.

Based on the foregoing, your affiant submits that there is probable cause to believe that WILKERSON violated 18 U.S.C. §§ 1752(a)(1) and (2), which make 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 18 U.S.C. § 1752, 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 WILKERSON violated 40 U.S.C. § 5104(e)(2)(D)&(G), 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.



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John Miller  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 7th day of June 2023.

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HONORABLE MOXILA A. UPADHYAYA  
UNITED STATES MAGISTRATE JUDGE