

Case: 1:23-mj-00132
Assigned To : Harvey, G. Michael
Assign. Date : 6/20/2023
Description: Complaint W/ Arrest Warrant

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”) assigned to Washington Field Office Joint Terrorism Task Force since April 2021. In my duties as a Special Agent, I investigate criminal activity pertaining to international and domestic terrorism. I have received specific training from the FBI relevant to violations of federal law and various types of investigative methods. My responsibilities as an FBI Special Agent include investigating threats that are terroristic in nature, including investigating crimes committed by racially or ethnically motivated violent extremists, anti-government or anti-authority violent extremists, and other domestic terrorism related matters. 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.

Law enforcement learned that Daniel Amsini (AMSINI) may have entered the U.S. Capitol building on January 6, 2021, based on open source and social media images of him. The images showed AMSINI wearing a red hat with white lettering stating "Make America Great Again," a dark in color jacket with a white stripe on the front left arm and red stripe on the back of the left arm, and military style camouflage pants. AMSINI also had a dark in color string bag, with a predominately white logo on it.



Image 1 AMSINI Circled in yellow

Law enforcement located other images of him prior to January 6, 2021, wearing the same same jacket.



Image 2

Open source material¹ also captured him inside the U.S. Capitol building, entering the Senate gallery.



Image 3

¹ source: <https://propublica-data-j6cases-videos.s3.us-east-1.amazonaws.com/c032b810fe03013933e52cde48001122.mp4>

Law enforcement reviewed CCTV footage and additional open source videos from the US Capitol Building on January 6, 2021 and confirmed AMSINI's presence inside it. AMSINI entered the Senate Wing door at approximately 2:18 PM EST.



Image 4

AMSINI then walked up stairs to the 3rd floor from the Rotunda Door.



Image 5

AMSINI proceeded down the East Corridor. AMSINI then walked into Senate Chambers at approximately 2:48 PM EST.



Image 6

Amsini was captured inside the Senate Chambers at approximately 2:49 PM EST.



Image 7

AMSINI exited the Senate Chambers with the government property at approximately 2:50 PM EST.



Image 8

AMSINI is seen putting the government property into his string bag.



Image 9

AMNSINI then exited the U.S. Capitol Building with the bag at approximately 3:06 PM EST.



Image 10

The government property was identified, based on screenshots from CCTV footage, as an ILC Dover Scape CBRN30 escape hood, an advanced air-purifying escape respirator which provides protection from carbon monoxide, chemical, biological, radiological and nuclear contaminants. The device would be utilized for rapid deployment for those individuals responding to emergency situations. These items are located under the seats in the Senate Gallery for use in case of emergency. The replacement cost for an ILC Dover escape hood is approximately \$249.

Law enforcement agents obtained the driver's license and address for AMSINI. The driver's license photo appeared to match the images of the person inside the U.S. Capitol building included herein. An employment check also indicated that AMSINI resided in [REDACTED].

On August 17, 2022, law enforcement contacted AMSINI at his residence to confirm his identity. AMSINI verified that his name was Daniel Bibonge Amsini and that he has resided in Arlington, Virginia, for the past year. AMSINI provided additional identity documentation in the form of a Virginia Driver's License and confirmation of his cellular phone number, [REDACTED].

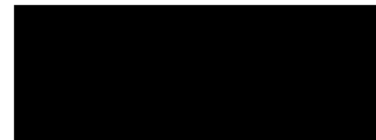
Law enforcement agents who interviewed AMSINI confirmed that he appears to be the person in the photos included herein having entered the U.S Capitol building and taken the items from the Senate gallery.


Based on the foregoing, your affiant submits that there is probable cause to believe that AMSINI 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 AMSINI violated 40 U.S.C. § 5104(e)(2)(B), (D), & (G) which makes it a crime to willfully and knowingly (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House; (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.

Finally, your affiant submits there is probable cause to believe that AMSINI violated 18 U.S.C. § 641, which makes it a crime for a person to embezzle, steal, purloin, or knowingly convert to his use or the use of another, or without authority, sell, convey or dispose of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or receive, conceal, or retain the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted.



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 20th day of June, 2023.

HONORABLE G. MICHAEL HARVEY
UNITED STATES MAGISTRATE JUDGE