

## STATEMENT OF FACTS

Your affiant, William Whitfield, is a Special Agent assigned to the Federal Bureau of Investigation, Rock Springs Resident Agency. In my duties as a special agent, I am assigned to investigate various criminal matters including complex financial crimes, money laundering, felons in possession of firearms, threats of violence, and narcotics investigations. 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. As part of my duties, I investigate criminal activity at the U.S. Capitol from 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.

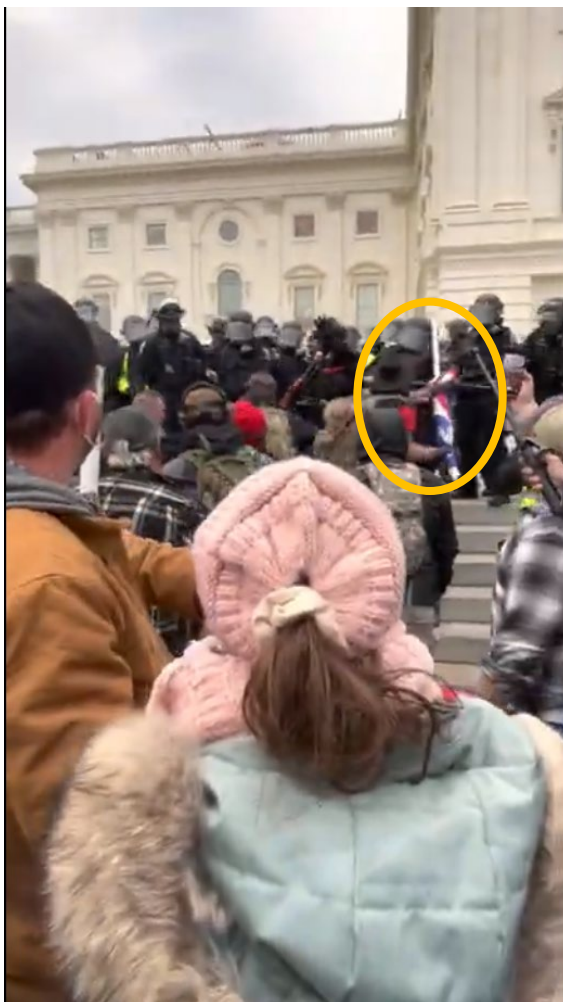
Following the events of January 6, 2021, the FBI Washington Field Office (WFO) identified an unknown subject in open-source videos from January 6, 2021, wearing a cowboy hat, goggles, a gas mask, and a backpack. (Still Image # 1 and # 2) The subject held a flagpole with a metal ball at the end and used the flagpole to hit law enforcement officers on Capitol grounds. (Still Image #3) The subject became designated by the FBI as BOLO 470-AFO (“BOLO” means Be On the Lookout), and the FBI asked the public for assistance identifying the individual.



**Still Image # 1**



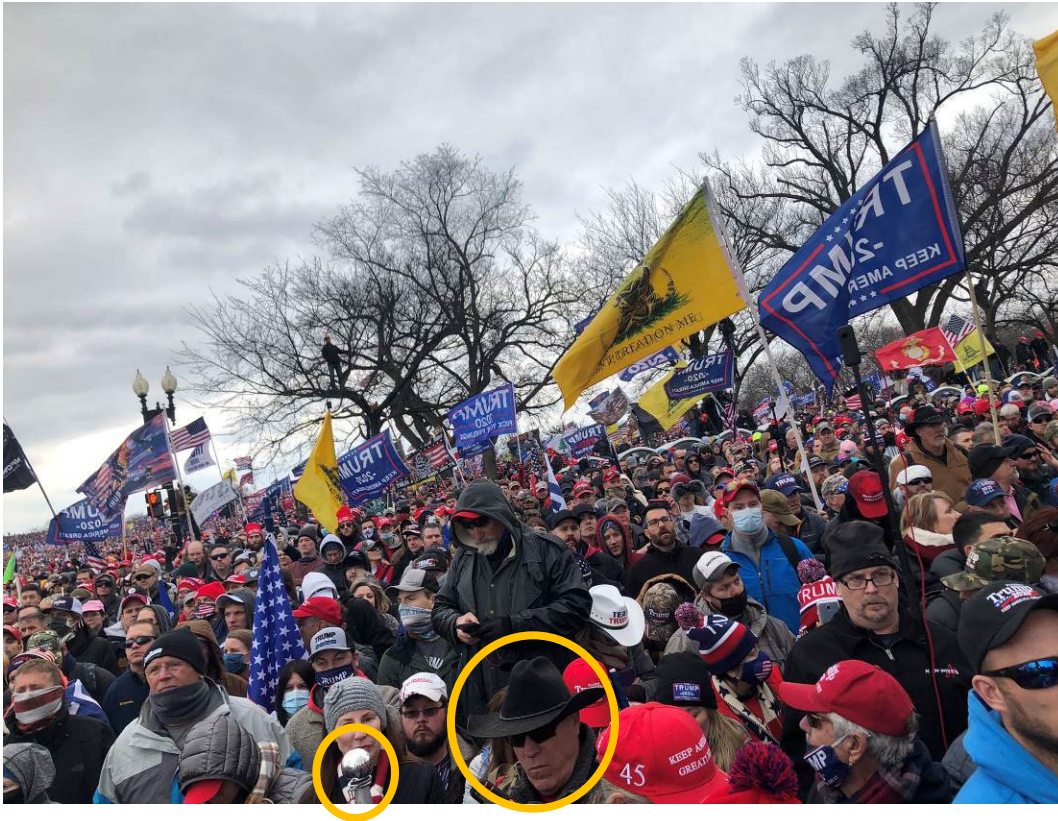
**Still Image # 2**



**Still Image # 3**

In response to the FBI's alert, the FBI received information from a Confidential Human Source (CHS) who believed BOLO 470-AFO was DOUGLAS HARRINGTON ("HARRINGTON") of Bedford, Wyoming. The CHS was not personally familiar with HARRINGTON and identified HARRINGTON solely through open-source research.

The CHS provided links to the FBI of additional videos and a photograph taken in the vicinity of U.S. Capitol grounds on January 6, 2021 in which the CHS believed HARRINGTON was present. One of the photographs is included below (Still Image #4).



**Still Image #4**

I reviewed the additional videos and photograph that the CHS provided to the FBI. The subject known as BOLO 470-AFO had several commonalities in clothing, physical features, or items carried to the person depicted in the photograph and videos.

I reviewed Still Image #4, in which the CHS identified an individual in the crowd as HARRINGTON. The photograph was originally posted by Twitter user @TheArtist\_MBS. The photograph was posted on January 6, 2021, with the following caption: "Some more images from the crowd during President Trump's speech at the Ellipse. Lots of cheers and flags. Very few masks. Trump just finished speaking moments ago – much of the crowd now plans to march toward the Capitol."

I observed that in Still Image #4, the individual identified by CHS as HARRINGTON was wearing a black cowboy hat, sunglasses, a black vest with a fleece-type collar, red shirt underneath the vest, and tan straps which appear to be a backpack. Immediately in front of the individual identified by CHS as HARRINGTON is a pole with a silver ball on top of the pole, with a horizontal line through the middle of the ball. Additionally, I observed in the photograph that the individual had a mole or other similar mark close to his nose. Upon reviewing a driver's license photograph of HARRINGTON, I observed a similar mark on HARRINGTON'S face.

I reviewed Metro Police Department (MPD) Body Worn Camera (BWC) videos of the assault perpetrated on law enforcement by BOLO 470-AFO and noticed the flag pole used by the subject to strike law enforcement had a silver ball on top of the flag pole, and appeared to be

made of metal, consistent with the one seen in open-source videos that depicted the attack on law enforcement. In addition, during the assault, BOLO 470-AFO was wearing a black vest with a fleece-type collar, sunglasses underneath goggles, and a black cowboy hat. Each of these items are consistent with the clothing worn on January 6 by the individual identified as HARRINGTON in the photograph above and in other videos provided by the CHS, and are also consistent with the video in which FBI WFO initially identified the subject assaulting law enforcement on January 6, 2021. Based on this, and on additional information set forth below, I believe BOLO 470-AFO is HARRINGTON.

In the BWC videos (Still Images ## 5-7), I observed HARRINGTON move the flag pole in a manner that appeared to show HARRINGTON strike or attempt to strike law enforcement multiple times.



Still Image # 5



Still Image # 6



Still Image # 7

I received records associated with telephone number (XXX)-XXX-1539 from T-Mobile in response to legal process. T-Mobile identified the subscriber of the telephone number as DOUGLAS HARRINGTON, with the date of birth and address that corresponds to those in HARRINGTON's Wyoming DMV records. According to T-Mobile, the telephone number was activated on March 16, 2020 and terminated on October 25, 2021. Subsequently, pursuant to a

Search Warrant, I received historical cell site information from T-Mobile pertaining to HARRINGTON's number (XXX)-XXX-1539.

Analysis completed by FBI Denver Division Cellular Analysis Survey Team (CAST) of the information provided by T-Mobile indicate that the location of the telephone registered to HARRINGTON was consistent with being in the vicinity of the US Capitol on January 6, 2021. Specifically, analysis indicates that at the time of the assault on Law Enforcement, which according to a BWC timestamp occurred approximately 3:42 PM, the phone registered to HARRINGTON was in the vicinity of the US Capitol.

FBI Special Agent Evan Held interviewed a Confidential Witness ("CW") in person, who had a personal relationship with HARRINGTON. During the interview, CW identified HARRINGTON in three photographs below (Still Images ## 8-10) taken from videos and images on the Capitol grounds on January 6, 2021. CW said it was possible he had confirmatory bias since the CW had already spoken about HARRINGTON being at the Capitol on January 6, 2021 and from viewing one of the photographs shown to the CW. CW did not know HARRINGTON well, but believed themselves capable of recognizing HARRINGTON.



**Still Image # 8**



**Still Image # 9**



**Still Image # 10**

Pursuant to a search warrant, Apple provided records from an iCloud account associated with HARRINGTON's phone number and email address. I reviewed several iMessages sent by HARRINGTON saved in his iCloud account that seemed to be related to the 2020 Presidential election (which took place on November 3, 2020), the Million MAGA March protest held in Washington, D.C. in December, 2020 and the events of January 6, 2021. These messages, which are excerpted below, indicate HARRINGTON's intent to corruptly obstruct, influence, or impede the the electoral college vote count certification.

On November 8, 2020, approximately five days after the 2020 presidential election and approximately one day after the mainstream news media reported the winner of the election, HARRINGTON wrote to an intimate partner "We are seeing satin cheating and we have no power to do anything other than start calling the Republican senators and rep to have them start protesting the fake stealing of our votes."

On November 17, 2020 HARRINGTON wrote to an associate “If Supreme Court don’t rectify the EVIL thats prayer time ad what God wants his warriors to do NEXT.” HARRINGTON wrote to the same associate he was waiting for the courts to finish before getting involved and mentioned committing acts of violence to show “who’s street it belongs too ITS WE THE PEOPLE THE TAXPAYERS.”

On November 21, 2020 HARRINGTON had a conversation with an intimate partner regarding watching the news. HARRINGTON informed his partner that nothing was going to change regarding the election results during the weekend, the government was shut down because “libs” didn’t work, and the only thing they could do is pray. HARRINGTON then wrote “There is nothing short other than real war wich will come jan5”

On December 13, 2020 HARRINGTON wrote “I’m not sure what avenues are actually left at this point I hope there’s legal ways but I I could tell the whole world is in on this to get rid of Trump because the one world government the devil and Satan’s angels and China does not want Trump around any longer because he’s toppling over the the globalist and the plan of Satan so we are fighting not just our own Democrats with the traders we’re fighting the Republicans and we’re fine China as well so I don’t know we’ll have to pray about it but there might be blood come starting January 20 and then comes the snipers and start taking out the enemy”

I observed a photograph on the website Shutterstock (Still Image # 11) of an individual who I believe to be HARRINGTON, with the following caption: “A supporter of US President Donald J. Trump rides a scooter near the White House in Washington, DC, USA, 11 December 2020. Supporters of US President Donald J. Trump are in town to participate in the second 'Million MAGA March' on 12 December to protest the results of the 2020 Presidential election.”<sup>1</sup>



*Still Image # 11*

On December 19, 2020, HARRINGTON wrote “They dont even know how they are stoking 1776 Boston Tea pary” “You kniw i was in DC for a week and at the rallies ladt week” and “I helped the proud boys kick ass”

<sup>1</sup> <https://www.shutterstock.com/editorial/image-editorial/11538982b>



HARRINGTON had been encouraging an associate to join the Proud Boys. On December 19, 2020, I believe the associate informed HARRINGTON that he would not join the Proud Boys due to family and religious concerns. The associate ended the message by writing “Be safe, and keep praying to God about what you plan on doing. I feel like I let you, as well as my country down.”

HARRINGTON responded: “It’s not for you then im going out to DC to fight for our country’s integrity if biden gets in we have but allowed satin free pass to lie cheat steal WITH TBE HELP OF CHINA, . . . 6 JANUARY 2021 IS THE DAY WE MARCH ON WASHINGTON DC THE WHOLE REASON FOR FREEDOM IS SOMEONES BLOOD PAYS THE PRICE”

On December 21, 2020 HARRINGTON wrote “Im going to Washington DC for rally again to save our VOTES ON 6 JANUARY 2021” “Its to show our support against the STEAL OF OUR VOTES” and “Pray for my journey TO THIS RALLY because there are a lot of powerful people that dont want President HE IS GODS CHOSEN ONE TO LEAD THE BATTLE JUST LIKE HOD GAVE THE JEWS KING DAVID HE HAS GIVEN US A BILLIONAIRE THAT GAVE UP ALL TO SERVE THE WORLD AGAINST SATAN”

On December 22, 2020, HARRINGTON wrote ‘I TOOK AN OATH TO PROTECT THE CONSTITUTION FROM ENEMIES FOREIGN AND DOMESTIC THAT DAY IS HERE ON THE LAND OF THE USA THE ENEMY IS THE UNITED STATES CONGRESS BOTH HOUSES ALONG WITH THE SENATE AND TO THE DISCRACE SCOTUS, the pedophilia, homosexuals tranny, Lesbians Abortion Have Corupted the Highest court of the land and congress, it is my solom duty to fight satanic forces of spiritual wickedness in high places ‘NEVER LEAVE A MAN BEHIND’” and “This is my mind made up I will die for our Country if NEED BE BUT NOBODY IS GOING TO TRASH MY COUNTRY ANY LONGER UNDER MY WATCH. THESE COMMIES NEED TO PAY FOR THEIR HIGH CRUMES AND TREASONOUS ATTEMPTED COUP”

On the day of January 6, 2021, itself, HARRINGTON sent iMessages relating to his participation in the riot. At approximately 3:11 p.m., 30 minutes prior to the assault on law enforcement, in a message to an intimate partner, HARRINGTON wrote, “Hunny im up on capital steps[.]” Then, at around 7:25 p.m., HARRINGTON sent an iMessage that read, “I’m here knocking down fencing-to gain entry to the capital bldg.” At around 7:29 p.m., HARRINGTON iMessaged the previously referenced associate: “Fuck the DC police[.]”

In the days after the riot, HARRINGTON wrote the following messages to an intimate partner and other associates:

On January 8, 2021, HARRINGTON wrote “We caused the riot because the government devils dont get it[.]”

On January 11, 2021, HARRINGTON wrote “We should have grabbed all of the traitors and waited for military tribunals”

On January 14, 2021 HARRINGTON wrote “We were pushng the police backwards”

On July 28, 2021, HARRINGTON wrote “I want them all in prison starting from VP pence down to mitch mcConnel”

I reviewed the GETTR social media profile @yumbearwyoming, which has a profile picture of what appears consistent with HARRINGTON. Additionally, the profile description read in part: “Combat Vet of Vietnam, Desert Storm 1, Iraq Freedom Retired 32yrs military...ham KJ7VZF.” The profile’s listed location was Star Valley, Wyoming. Star Valley, Wyoming is an area that includes the city consistent with the address listed in HARRINGTON’s DMV records. A search of the wireless2.fcc.gov website showed that the call sign KJ7VZF is an amateur radio license registered to HARRINGTON at the same address associated with HARRINGTON’s Wyoming Driver’s License. Due to the profile picture, profile information, location, and listing of a radio call sign registered to HARRINGTON, I believe the @yumbearwyoming profile to be associated with HARRINGTON.

Upon review of the profile, I observed posts that appeared to be related to the 2020 election or events which occurred on or around January 6<sup>th</sup>, 2021:

On October 6, 2021, HARRINGTON replied to a GETTR page titled @we\_love\_trump stating, in part: “what makes me mad we knew what VP PENCE . . . ALONG WITH THE DEMORATS . . . WERE ABOUT TO BECOME TRAITORS THAT’S WHY WE MARCHED PEACABLY AS OUR CIVIC DUTY WITH FLAGS[.]”

On March 1, 2022, HARRINGTON replied to GETTR page @ccross5882 “YOU FIGHT THE WAR WITH BULLETS THIS FUCKING TIME!! LAST TIME WE MARCHED WITH FLAGS. ITS JUST LIKE 1776 YOU MEN . . . LET THE FBI DO THEIR THING. THERE ARE MORE OF US THAN THEM THEY CAN’T LOCK US ALL UP YOU MORONS[.]”

On March 13, 2022 HARRINGTON replied to GETTR page @j\_\_\_\_d “HEY JACKASS STOLEN ELECTIONS HAVE CONSEQUENCES[.]”

On March 17, 2022 HARRINGTON replied to @we\_love\_trump “Some of us did our job . . . we who went to 6 Jan ‘PEACEFUL PROTEST WHICH IS OUR CONSTITUTIONAL RIGHT TO AIR OUR GRIEVANCES AGAINST THE CROOKS STARTING WITH VP PENCE[.]”

On June 19, 2022 HARRINGTON replied to GETTR page @spicolli “It’s not Rupbican But UNIPARTY the so-called leader Mitch McConnel . . . DemoRATS same as Romney Collins Rubio Kevin McCarthy they hate the PATRIOTS THEY VOTED TO GET RID OF TRUMP WITH VIPER SATANIST PENCE, only handful of real useful Idiots we can call representatives[.]”

Based on the foregoing, your affiant submits that there is probable cause to believe that HARRINGTON violated 18 U.S.C. § 111(a)(1) and (b) which makes it a crime to to forcibly assault, resist, oppose, impede, intimidate, or interfere with a federal officer while they are engaged in their official duties where such acts involve physical contact with the victim of that

assault or the intent to commit another felony, and separately provides for enhanced penalties when a dangerous instrument is used and bodily injury is suffered.

Additionally, your affiant submits there is probable cause to believe that HARRINGTON 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.

Your affiant submits there is also probable cause to believe that HARRINGTON 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; 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; and (4) knowingly engages 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 or grounds” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where any 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.

Finally, your affiant submits there is probable cause to believe that HARRINGTON violated 18 U.S.C. § 1512(c)(2), which makes it a crime to corruptly obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.



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Special Agent William Whitfield  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 5<sup>th</sup> day of July 2023.

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ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE