

STATEMENT OF FACTS

Your affiant, Darionte Johnson, is a Special Agent with the Federal Bureau of Investigation (“FBI”), St. Louis Field Office. I have been a Special Agent since October 2022. I am assigned to the Joint Terrorism Task Force Squad in St. Louis, Missouri. Currently, I am tasked with investigating criminal activity in and around the Capitol Grounds on January 6, 2021. During my tenure, I have been trained on numerous investigative methods and techniques in relation to criminal and counterterrorism investigations. As a federal agent, I am authorized to investigate violations of laws of the United States, and as a law enforcement officer I am authorized to execute warrants issued under the authority of the United States.

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 attempted 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.

An associate of Eric Glen Harrower's, Joshua Dressel¹, was identified in the Capitol Building on January 6, 2021 by a tipster. In reviewing footage of Dressel in the Capitol Building and Capitol Grounds, the FBI noticed that Dressel travelled throughout the day with a man with a long reddish-brown beard and maroon hoodie sweatshirt.

In Dressel's Facebook messages, which were reviewed in connection with the investigation, the FBI learned that Dressel was with "Eric" on January 6, 2021. Additional review of Dressel's Facebook account showed he exchanged several messages with "Eric Harrower."

On May 12, 2021, the FBI searched for and found the Facebook account belonging to "Eric Harrower." The account was viewable by the public, and the pictures on the account matched the images of the person in the maroon hoodie and beard who was with Dressel on January 6, 2021.

FBI Interview with Harrower

On February 8, 2022, the FBI learned through Dressel's attorney that Harrower wanted to make himself known to the FBI. On 02/09/2022, Eric Glen Harrower called the FBI, and the FBI scheduled an interview with him on 02/15/2022. I have reviewed the FBI report generated after the interview.

During that interview, Harrower explained that he and Dressel drove to the Washington, DC area on 01/05/2021 to attend the Trump Rally on 01/06/2021. On 01/05/2021, they stayed in a hotel in and spent the day in Washington, DC sightseeing.

On 01/06/2021, Harrower, along with Dressel, went to a field near the Washington Monument, heard some of President Trump's speech and then wandered around the immediate area. There were people going back and forth from the field to the Capitol, but the crowd as a whole drifted closer to the Capitol. Harrower and Dressel went to the Capitol.

As they got closer to the Capitol, they could hear flashbangs and see what they thought was tear gas. They witnessed rioters that had been pepper sprayed and claimed to have been shot with pepper ball rounds. There was a lot of chaos in front of the Capitol. Harrower and Dressel continued onward to, and eventually arrived at, the Capitol.

At the Capitol, Harrower saw a rioter smashing the base of a flag stand into the stonework. He went inside the Capitol Building and spent time in a room with large columns and statues. In that room, the mob became rowdy. Harrower believes he remained in the general area of the room with columns and statues while in the Capitol Building.

As he and Dressel exited the Capitol, there was a commotion at the front door. Harrower, however, indicated he was unsure what was going on. Harrower believes they exited the same way they came in. Upon exiting, they came across a rioter with a shield arguing with police officers.

¹ Joshua Dressel pled guilty to 40 U.S.C. § 5104(e)(2)(G) (Parading, Demonstrating, or Picketing in a Capitol Building) on August 18, 2022. On March 22, 2023, Dressel received a sentence of 14 days of imprisonment, a \$500 fine, and \$500 of restitution. *See USA v. Joshua Dressel*, 21-CR-572 (CRC).

Harrower said that, once out of the Capitol building, he and Dressel left the Capitol grounds, returned to the hotel to gather their belongings, and left the DC area in the late afternoon or early evening of 01/06/2021.

Harrower volunteered that he came to the FBI willingly to accept responsibility for being in the Capitol and pay the consequences. Harrower was shown four printed pictures of himself in the Capitol. He signed and dated the pictures acknowledging that the individual in the pictures was in fact him.

Open-Source Video

I reviewed open-source video evidence establishing that Harrower and Dressel used overturned bike racks as ladders to assist other rioters as they clambered up the banister to the northwest steps. In doing so, they fueled the manpower of the mob, of which they were willing participants. When the mob on the steps reached critical mass, it was able to breach the police line at the top of the steps. Eventually, the mob managed to break into the Capitol Building itself.



Harrower and Dressel manned the bike rack and appeared to watch as the mob attacked the police.



Harrower held the bike rack to help rioters climb the banister; rioter with flag stand who would later begin striking the masonry is seen in the foreground of the picture.



Dressel and Harrower helped a rioter climb the banister; Harrower is off screen just to the right.

As they helped rioters scale the banister along the northwest steps, a rioter standing next to them shouted “Fuck DC PD!” Shortly thereafter, the camera pans to a group of police officers in riot gear struggling to move as the mob attacked them. Harrower would have had a clear view of these events from his position on the banister. Additionally, Harrower saw a rioter smashing the base of a flag stand into the stonework just below them. Despite what they had seen as they approached the building and from their position on the banister of the northwest stairs, Harrower and Dressel proceeded upward toward the West Plaza.



Rioters attacked and surrounded police near where Harrower helped rioters climb the banister.

After going up the stairs to the West Plaza, Harrower stopped to take a water bottle and then made his way up the West Plaza toward the Senate Wing Doors. While there, and as the crowd finished chanting, “Fight for Trump!,” Harrower and Dressel wrapped their arms around each other and patted their shoulders as if to congratulate themselves. Approximately 29 seconds later, the crowd in front of the Senate Wing Doors began to shout again and again “Let us in!”



Harrower and Dressel patted one another on the back near the Senate Wing Doors on the West Plaza.

Harrower entered the building and were in the Crypt with rioters and some police officers. In the Crypt, the mob was raucous and loud. During this time, Harrower witnessed a member of the mob throw a fire extinguisher at police officers.



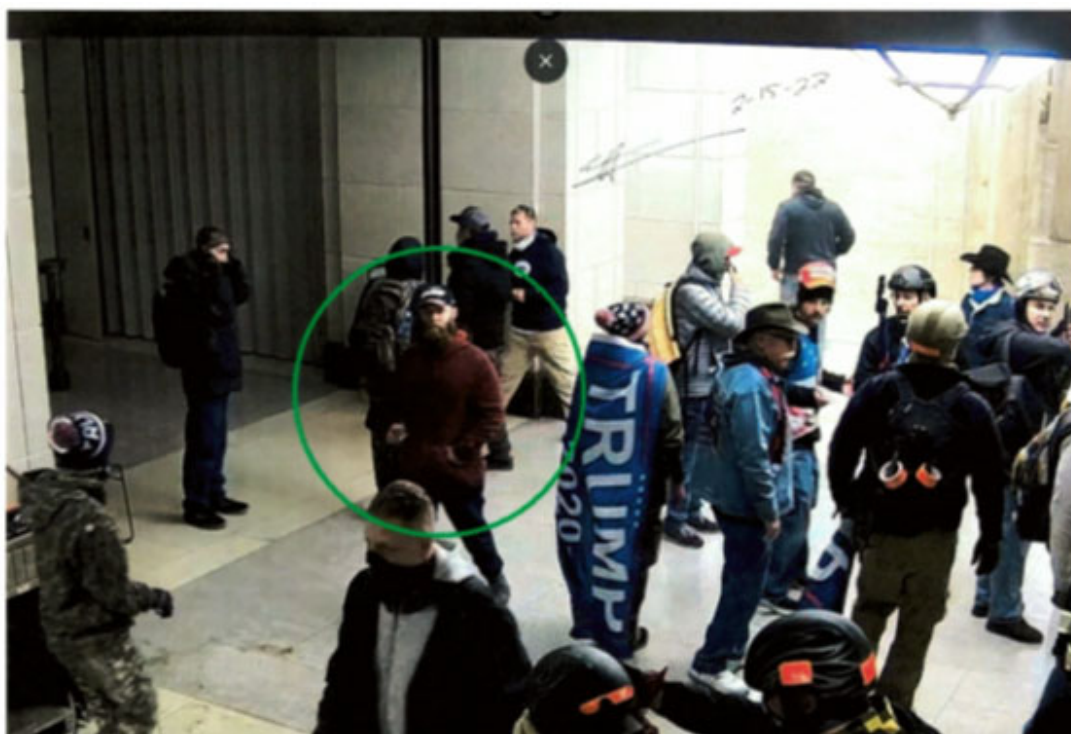
Harrower and Dressel while the fire extinguisher was in midair, hurtling toward the officers that protected the Capitol.

Surveillance Footage

I reviewed surveillance video from inside the Capitol on January 6, 2021. The surveillance video revealed an individual believed to be Harrower entered the building from the Senate Wing door at approximately 2:14 p.m., and entered the Capitol Crypt through the north corridor, remaining in the Crypt area from at least approximately 2:25 through approximately 2:34 p.m. He then exited through a broken window near the Senate Wing doors at about 2:36 p.m. Harrower was shown four printed stills from surveillance footage. He signed and dated all four acknowledging that the individual in the pictures is in fact him. Two of the stills are pasted below:



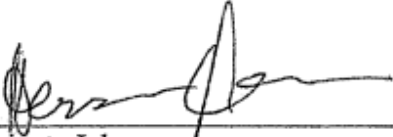
Harrower as he entered the Capitol.



Harrower walking near the Crypt on January 6.

Based on the foregoing, I submit that there is probable cause to believe that Harrower 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 so; 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 attempt or conspire 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.

I submit there is also probable cause to believe that Harrower violated 40 U.S.C. § 5104(e)(2)(D) and (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.



Darionte Johnson
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 6th day of July 2023.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE