

STATEMENT OF FACTS

Your affiant, Chalena Montavon, is a Task Force Officer assigned to the Federal Bureau of Investigation (FBI) and has been since November 2021. Since November 2021 to the present, your affiant has been assigned to the Joint Terrorism Task Force (JTTF) of the National Security Branch of the FBI Omaha Division. Prior to my assignment to the JTTF, I was a patrol Deputy with the Polk County Sheriff's Office. In this capacity, I conduct preliminary investigations, including but not limited to domestic disputes, rape, assaults, robberies, and disorderly conduct. I apprehend/arrest individuals involved in the commission of a crime and executed warrants. I have received training and investigative experience in interviewing and interrogation techniques, arrest procedures, search and seizure, search warrant applications, and various other crimes and investigative techniques. In my duties as a Task Force Officer on the JTTF, I investigate criminal violations related to domestic and international terrorism. In addition, I am also tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Task Force Officer, I am authorized by law or by a government agency to engage in the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by United States Capitol Police (USCP). Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by USCP. 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 U.S. Congress convened at the U.S. Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the U.S. House of Representatives and the U.S. Senate were meeting in separate chambers of the U.S. 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 USCP 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 USCP 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 USCP, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the U.S. House of Representatives and U.S. 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 U.S. Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the U.S. 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 JASON H. CURL

On January 25, 2021, a full investigation was opened on DEBORAH SANDOVAL (SANDOVAL) for participating in the illegal entry into the U.S. Capitol, with the intent of interrupting the congressional proceeding.

On February 19, 2021, arrest and search warrants were executed at SANDOVAL's residence in Des Moines, IA and an interview was conducted. During the interview, SANDOVAL admitted that her fiancé, JASON HEROLD CURL (CURL), also traveled to the U.S. Capitol with her and entered the U.S. Capitol. On December 14, 2022, SANDOVAL pleaded guilty to entering and remaining on the restricted grounds of the U.S. Capitol, in violation of 18 U.S.C. § 1752(a)(1). *See* 21-cr-195-CKK, ECF No. 100.

CURL was identified by SANDOVAL as having entered the Capitol. Additionally, in the days leading up to SANDOVAL's plea, video footage was obtained from the showing CURL on the restricted grounds of the Capitol and entering the Capitol with SANDOVAL on January 6, 2021.

A review of open-source photographs and videos show CURL, dressed in a black jacket and carrying a flag, on the National Mall on January 6, 2021 (Image 1).



Image 1 (CURL circled in yellow)

CURL then traveled from the National Mall onto the restricted grounds of the Capitol. CURL continued to the Upper West Terrace outside of the Capitol and towards the Senate Wing Door of the Capitol (Image 2 and Image 3).

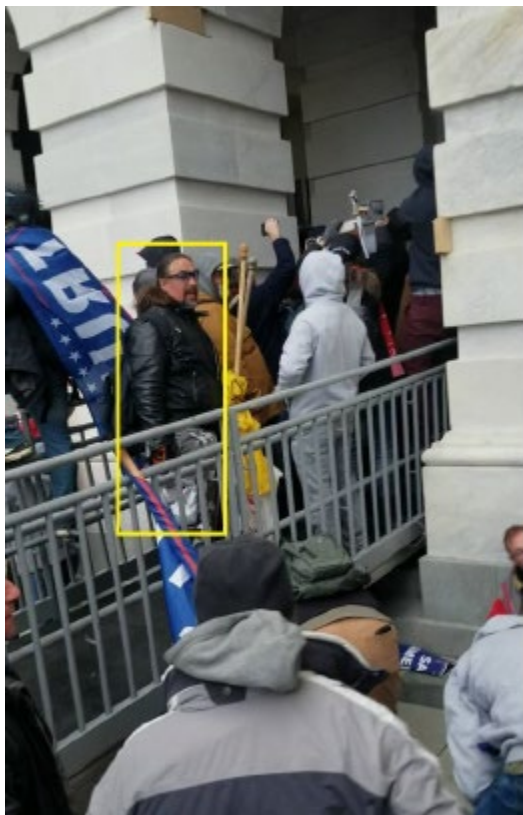


Image 2 (CURL boxed in yellow)



Image 3 (CURL boxed in yellow)

As CURL moved towards the Senate Wing Door, he shouted, “forward!” to other rioters (Image 4).



Image 4 (CURL circled in yellow)

A review of the Capitol’s Closed Circuit Television Video (CCTV) system shows CURL entered the Capitol at approximately 2:49 p.m. (Image 5). At the time CURL entered the building, the certification proceeding (and in fact, all business within Congress) had been halted due to the presence of the mob outside and inside of the premises.



Image 5 (CURL circled in yellow)

Between 2:55 p.m. and 3:05 p.m., CURL paraded through the Crypt with others (Image 7), a hallway on the House-side of the Capitol (Image 7), and back to the Senate Door.



Image 6 (CURL circled in yellow)

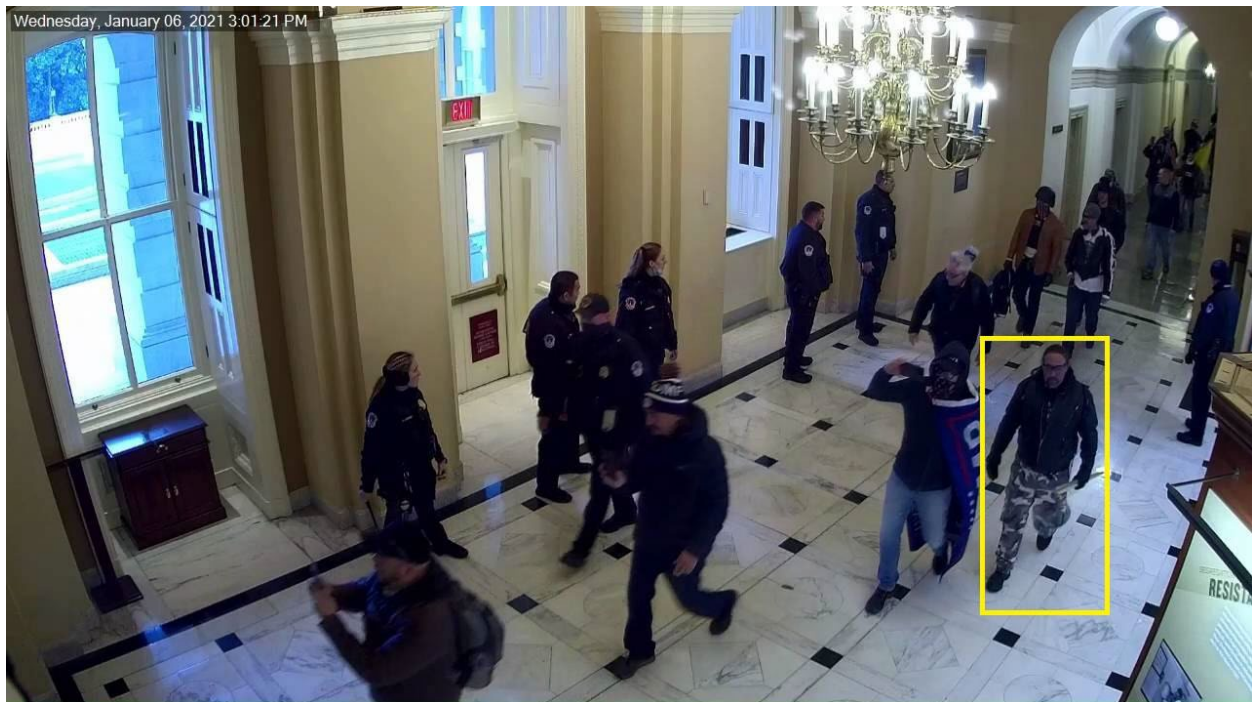


Image 7 (CURL boxed in yellow)

At 3:11 p.m., CURL exited the Capitol through the Senate Wing Door (Image 8).

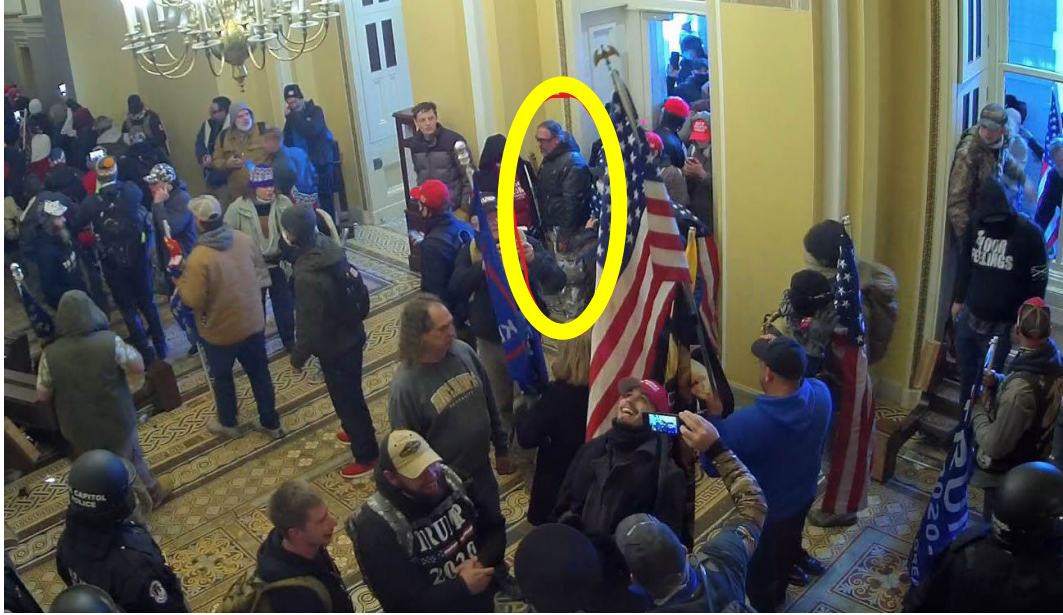


Image 8 (CURL circled in yellow)

On May 31, 2023, your affiant interviewed WITNESS 1, who has known CURL for multiple years and routinely sees him in person on a weekly basis. WITNESS 1 was presented four photos (Images 2, 4, 7, and 8) of a male inside the Capitol grounds or inside the Capitol on January 6, 2021. WITNESS 1 reviewed the photographs and identified CURL as the male individual circled in Images 2, 4, 7, and 8. Prior to January 6, 2021, CURL did not have any social media activity.

Additionally, based on information gathered from law enforcement and open-source database checks, including examination of the Iowa Department of Motor Vehicles driver's license photograph of CURL, your affiant believes that the individual in images 1-8 is CURL.

Based on the foregoing, your affiant submits that there is probable cause to believe that CURL 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; (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" 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 CURL 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 (F) parade, demonstrate, or picket in any of the Capitol Buildings.

Chalena Montavon

Chalena Montavon
Task Force Officer
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 19th day of July 2023.

Judge Robin M. Meriweather
U.S. MAGISTRATE JUDGE