

Case: 1:23-mj-00202
Assigned To : Harvey, G. Michael
Assign. Date : 08/11/2023
Description: Complaint W/ Arrest Warrant

STATEMENT OF FACTS

Your affiant, William Bozek, is a Special Agent with the Federal Bureau of Investigation (FBI), assigned to the New Orleans Division, Alexandria Resident Agency. As an FBI Special Agent, I have received training and gained experience in a variety of criminal laws and procedures, including investigations into matters involving criminal gangs and various terrorism-related offenses. Currently, part of my official duties include investigating criminal activity in and around the U.S. Capitol Building 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 are 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.

FACTS SPECIFIC TO THIS CASE

Following the January 6, 2021 riot at the United States Capitol, publicly available videos posted on websites and social media platforms documented violent assaults committed by rioters who ascended the Capitol's Northwest Steps and climbed through nearby temporary scaffolding as they attempted to reach the Upper West Terrace of the Capitol and the entrances to the Capitol building on that level. The first rioters to reach the Upper West Terrace, who breached the Senate Wing Door at approximately 2:12 p.m., overran a small group of U.S. Capitol Police (USCP) officers positioned on a landing of the Northwest Steps and at the top of the scaffolding nearby. Rioters assaulted those officers with chemical spray, objects including wooden pallets and stolen police shields, and through physical contact. The FBI also sought help identifying individuals who assaulted officers on January 6, 2021 by posting and publicizing images assigned "AFO" (assault on a federal officer) numbers.

One individual whom the FBI sought to identify through a "wanted poster" (or "BOLO," short for "be on the lookout") disseminated on the FBI's website was a white male, approximately 65 years old, who had white hair, wore dark-rimmed eyeglasses, a dark hooded sweatshirt, and black baseball cap bearing the words "Vietnam Veteran." That person, designated AFO-418, assaulted USCP officers on the Northwest Steps and inside the scaffolding.



Images 1-5 (Photographs AFO-418 A, B, C, D, and E)

Open-source video depicted Bryan at approximately 1:54 p.m. as he used a wooden pallet as protection (to avoid officers' use of less-lethal munitions like pepper spray) while ascending the Northwest Steps and moving towards USCP officers who were defending a landing on those steps.

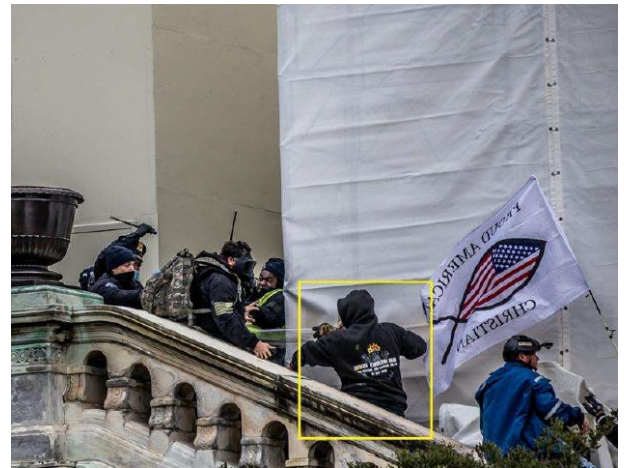


Image 6: Bryan hiding behind wooden pallet

Seconds later, Bryan put the pallet down near the feet of a rioter identified as Christopher Alberts. Bryan forcibly took USCP Officer S.S.'s plastic shield, and then charged forward, toward the officers, using the shield offensively in an attempt to breach the police line. At the same time, Alberts picked up the pallet and assaulted USCP officers using the wooden pallet.



Image 7: Bryan (circled) stealing police shield; Alberts is wearing camouflage backpack



Images 8 and 9: Bryan rushing USCP officers with police shield

After his unsuccessful effort to breach the police line on the landing near the Northwest Steps, Bryan climbed through the temporary scaffolding slightly to the south and physically assaulted officers of the USCP, including USCP Officer C.C., at or around 1:57 p.m.

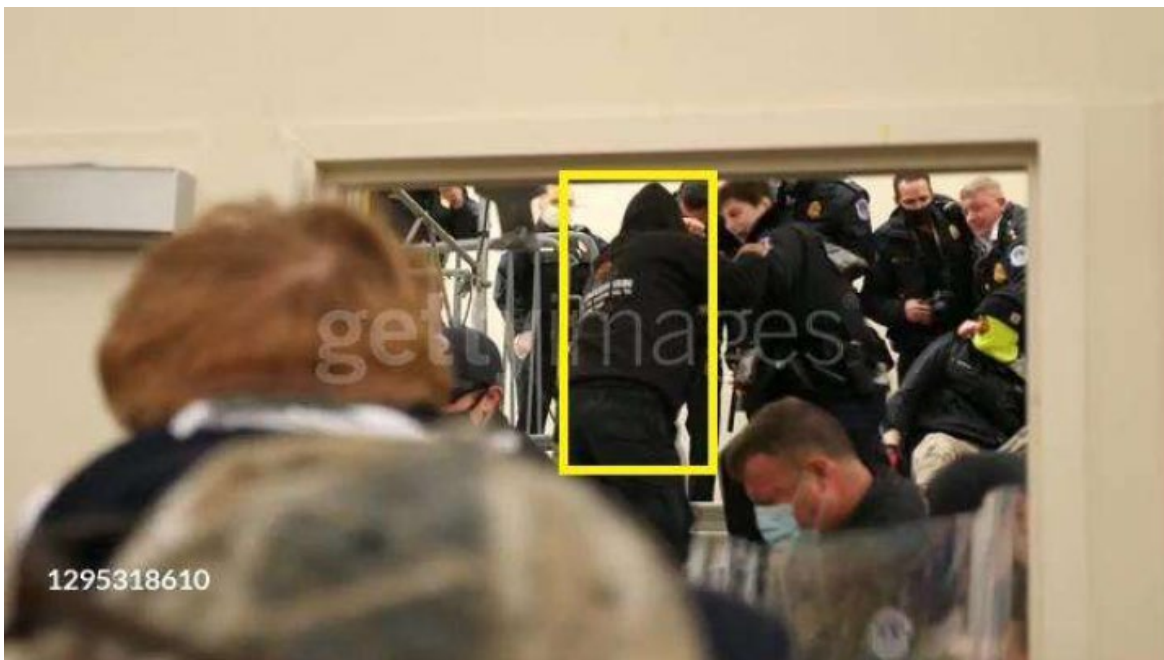


Image 10: Bryan assaulting USCP Officer C.C.

Bryan can be identified in these images in part by his hooded sweatshirt, which had a slogan on the back saying, in part “Bring Enough Gun” and the writing on the bill of his baseball cap. In other images from the Northwest Scaffolding, his face is visible:



Image 11: Bryan's face is visible as he assists rioters onto Northwest Steps
Other images from the day show the slogan on the back of Bryan's sweatshirt:



Image 12: Bryan's "Bring Enough Gun" sweatshirt can be seen as he discusses his assault on USCP officers

Open-source videos recorded later on January 6, 2021 revealed Bryan bragging about his theft of the police shield and his assaults on USCP officers. Near the Peace Circle, he explained, “we ganged up, on the left side of the steps where the white tarps were. I started cutting the tarps off” and described how he “stormed up the steps.” Bryan boasted, “I stole a baton. I stole a shield. [I] knocked two of them to the ground, took six of them to get me off of them.” Bryan encouraged other individuals to assault officers as well, exclaiming, “y’all go get you some!”



Image 13: Bryan near Peace Circle, bragging

Later, in front of the west entrance to the E. Barrett Prettyman Federal Courthouse, Bryan showed bruises on his body and continued to brag about his theft of the police shield and assaults on USCP officers. He stated, “I was one of the first ones up ... I run through the front line, got a shield on the way through. When they got me down and started beating on me, I got a baton. It took about a half dozen of them to get the stuff away from me.”

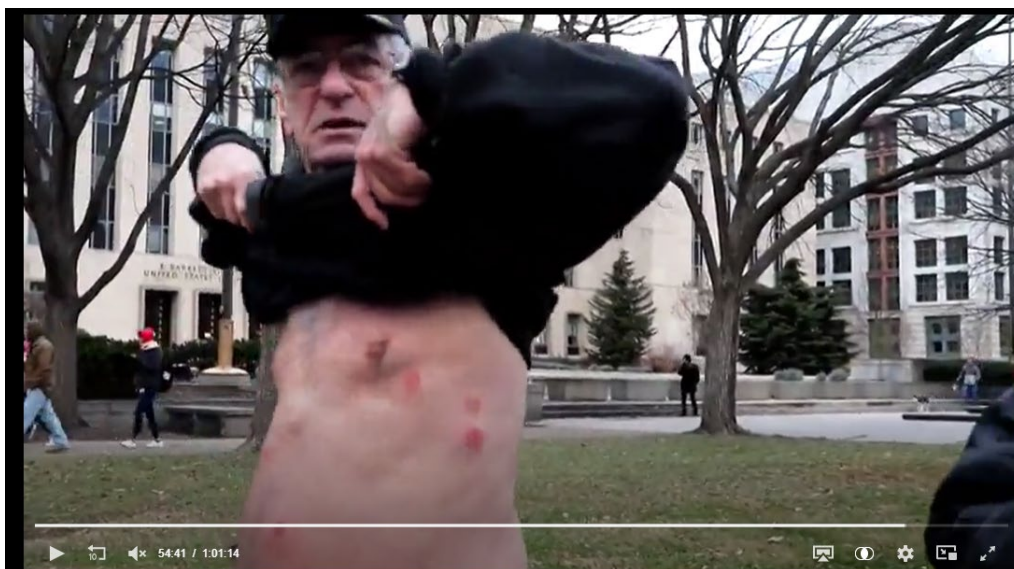


Image 14: Bryan near Federal Courthouse, bragging

Officers obtained complaint records made by a Ronald Bryan to the Grant Parish, Louisiana Sheriff's Office (GPSO). Bryan provided an address in Pollock, Louisiana and a cell phone number of XXX-XXX-8957, among other information. An FBI Task Force Officer spoke with an official of the GPSO who has had repeated contact with Bryan, as a complainant, for a number of years. That official reviewed Images 1 through 5, above, and positively identified the person in those images as Ronald Bryan.

In addition, the FBI reviewed a publicly accessible Facebook account associated with the name Ronald Bryan. The profile picture associated with that account is a white male, over 60 years old, with white hair, who is wearing eyeglasses and appears to be the same person in the images above. That Facebook page is assigned the account number 100069905555798. Pursuant to legal process, Meta, the parent company of Facebook, provided records showing that the Ronald Bryan Facebook account is associated with the registered email address R [REDACTED] Bryan@gmail.com and verified cell phone number XXX-XXX-8957. The account was created on June 22, 2021.

According to an online database, the carrier for XXX-XXX-8957 is AT&T. Pursuant to legal process, AT&T provided subscriber information for the phone number showing that the account holder is Ronald Bryan of Pollock, Louisiana, with an email address of R [REDACTED] Bryan@gmail.com. The records returned by AT&T on or around June 15, 2023 for telephone number XXX-XXX-8957 included the (IMSI) of 310410199937164. An IMSI is a 15-digit code; all mobile phone subscribers are assigned a unique 15-digit IMSI number to allow foreign mobile networks to identify subscribers from abroad. AT&T also provided a SIM card number of 89014102271999371643. A SIM (Subscriber Identity Module) card is a plastic piece with a circuit-embedded chip that stores identifying information on a mobile device. This information helps mobile service providers associate devices with individual customer accounts.

According to records obtained through a search warrant which was served on AT&T, the cellphone associated with the number XXX-XXX-8957 was identified having utilized a cell site consistent with providing service to a geographic area that includes the interior of the U.S. Capitol Building and within its restricted grounds around the time of the breach of the U.S. Capitol Building on January 6, 2021.

According to military records, telephone number XXX-XXX-8957 is associated with Ronald Bryan. Bryan's military records identify that he is a Vietnam veteran. Images and video taken on January 6, 2021, including Images 1 through 5, above, show Ronald Bryan wearing a Vietnam Veteran hat during the riot at the U.S. Capitol.

Based on the foregoing, I submit that there is probable cause to believe that Bryan violated 18 U.S.C. §§ 111(a)(1) and 2, which make it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with certain designated individuals, or to aid, abet, counsel, command, induce, or procure the commission of such offense. Within the meaning of this statute, a designated individual is an officer or employee of the United States or of any agency in a branch of the United States Government (including any member of the uniformed services), while such officer or employee is engaged in or on account of the performance of official duties, or any person assisting such an officer in the performance of official duties or on account of that assistance.

I submit that there is probable cause to believe that Bryan violated 18 U.S.C. §§ 1752(a)(1), (2), and (4), and 2, which make it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (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; (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempt or conspire to do so; or to aid, abet, counsel, command, induce, or procure the commission of such offenses. For purposes of §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 that there also is probable cause to believe that Bryan violated 40 U.S.C. § 5104(e)(2)(F), which makes it a crime to willfully and knowingly engage in any act of physical violence in the Grounds or any of the Capitol Buildings.

I submit that there is probable cause to believe that Bryan violated 18 U.S.C. § 231(a)(3), which make 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, 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.

Finally, I submit that there is probable cause to believe that Bryan 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 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.

William Peter Bozek

WILLIAM P. BOZEK
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 11th day of August 2023.

HON. G. MICHAEL HARVEY
U.S. Magistrate Judge