

STATEMENT OF FACTS

Your affiant, Cris Lister, is an FBI Special Agent assigned to the FBI Portland Division, Pendleton RA. In my duties as a special agent, 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 facts in this Affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and agencies, or based on a review of various documents, records, and reports. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not contain every fact known by me or the FBI. The dates, times, and time stamps listed in this Affidavit should be read as “on or about”.

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 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.

Earlier this day, at approximately 1:00 p.m., a crowd of violent rioters assembled on the West Front of the United States Capitol. United States Capitol Police (USCP) formed a line of bike racks extending from the north end of the West Front to the south end to act as a barrier against the crowd. Officers were standing watch behind this line and fending off repeated attempts by the rioters to pull on the bike racks, either with their hands or with ropes and straps.

At approximately 2:00 p.m., some people in the crowd forced their way through, up, and over the barricades and law enforcement. The crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by USCP officers or other authorized security officials. At such time, the certification proceedings were still underway, and the exterior doors and windows of the United States Capitol were locked or otherwise secured. Members of law enforcement attempted to maintain order and keep the crowd from entering the United States Capitol.

At approximately 2:30 p.m., significant sections of the police line on and near the United States Capitol's Lower West Terrace broke as the rioters in the crowd swarmed and overwhelmed the law enforcement officers. Some of the rioters were able to penetrate the scaffolding, a position that gave them access to the stairs to the upper terraces where there are several key doors, including the doorway to the Lower West Terrace, also referred to as the "tunnel." Officers from the USCP and the Washington, D.C. Metropolitan Police Department (MPD) formed a police line in the tunnel blocking that entrance to the United States Capitol building and were repeatedly fending off assaults by some of the rioters. At approximately 2:42 p.m., rioters began entering the tunnel and ambushing the officers. The rioters broke the glass and forced the doors open. In response, the USCP and MPD officers formed a police line blocking that entrance to the U.S. Capitol building. From approximately 2:42 p.m. and on, numerous rioters were consistently attempting to breach the police line that formed in the tunnel. The rioters used various weapons, as well as the force of their bodies, in an attempt to overcome the officers. Many of the rioters assaulted MPD and USCP officers by hurling objects towards the officers, physically striking officers with batons and other blunt instruments, using lights to distract and disorient the officers, using electrical shock devices, crushing officers between the doors and walls of the confined space, and by deploying chemical sprays and fire extinguishers against the officers.

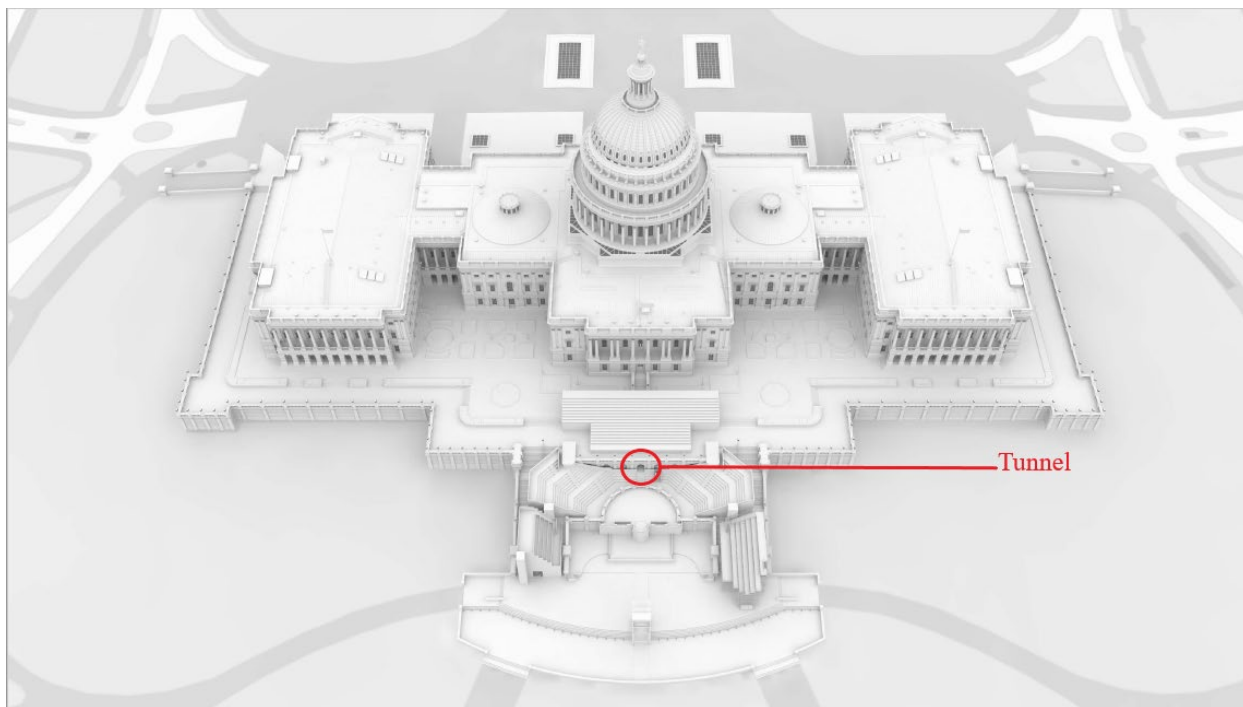


Image 1: West Front of the Capitol.

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.

IDENTIFICATION OF RYAN WILSON

RYAN WILSON traveled to the Capitol with his father, Duke Wilson.¹ Agents with the FBI interviewed Duke Wilson on February 24, 2022, during which they showed him Image 2, which is an image of two men on the west side of the Capitol building on January 6, 2021. Duke Wilson identified himself as the person wearing the dark purple and white hat, and WILSON as the person wearing the plaid shirt.

¹ Duke Wilson (21-cr-345) pleaded guilty on 9/7/21 to two felonies: assaulting, resisting, or impeding certain officers or employees, and obstruction of an official proceeding. He was sentenced to 51 months of incarceration on 3/4/22.



Image 2: Duke Wilson (left) and Ryan Wilson (right) on the west side of the Capitol building on January 6, 2021.

The FBI subsequently obtained a DMV photo associated with the man identified as Ryan Wilson, and the photo appeared to be the same man depicted on the right in Image 2.

On April 14, 2022, the FBI interviewed WILSON. WILSON admitted to being at the Capitol on January 6, 2021, with his father, Duke Wilson. He identified himself as the man depicted on the right in Image 2.

VIDEO FOOTAGE DEPICTING RYAN WILSON

A review of USCP surveillance footage, MPD body-worn camera (“BWC”) footage, open-source videos, and footage from other rioters revealed WILSON repeatedly engaged in a violent obstructive and assaultive conduct against multiple law enforcement officers inside the tunnel.

On January 6, WILSON wore a distinctive plaid button-down shirt. While inside the tunnel, WILSON wore a black balaclava, which he removed after he exited tunnel.

WILSON was captured by Capitol building surveillance footage outside the tunnel entrance, standing next to his father, Duke Wilson, at approximately 2:56:36 pm.



Image 3: Still image from Capitol building surveillance footage at 2:56:36 pm, depicting WILSON (red) and Duke Wilson (blue) at the entrance of the tunnel.

From the vantage point at the mouth of the tunnel, WILSON could see the large phalanx of police officers defending an entrance to the Capitol Building, who were positioned beyond the crowd of rioters at the entrance to the Capitol building while the door alarm from the emergency exit was blaring.

WILSON and his father began pushing their way into the tunnel, toward the police line, as captured in Image 4, which is the footage of another rioter, Gina Bisignano,² and in Image 5, which is Capitol building surveillance video.

² Bisignano (21-cr-36) pleaded guilty on 8/4/21 to six charges, including two felonies: obstruction of an official proceeding and civil disorder.

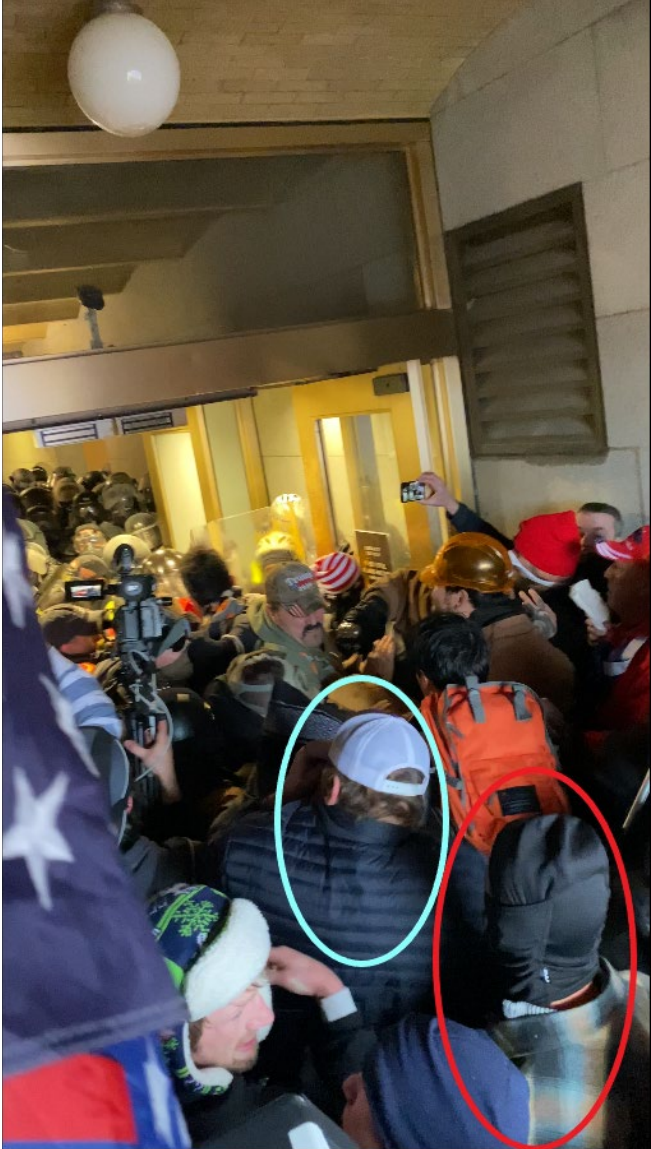


Image 4: Still image from Bisignano's footage capturing Duke Wilson (blue) and WILSON (red) entering the tunnel.

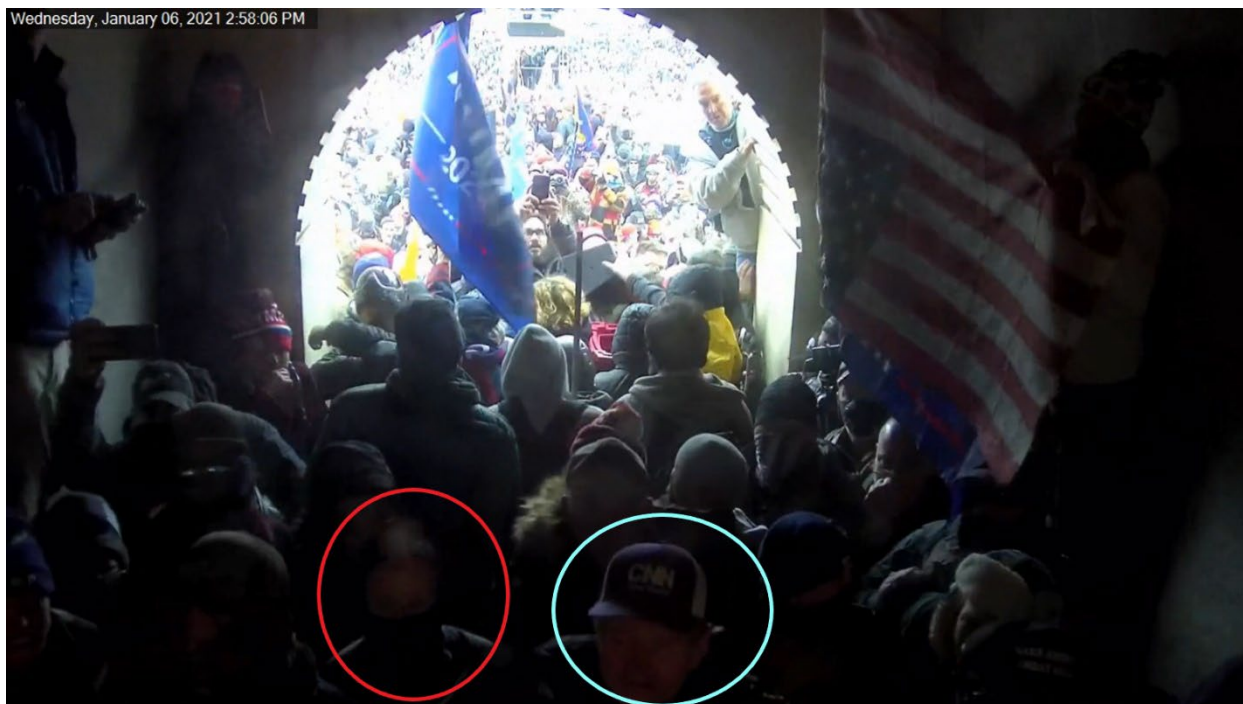


Image 5: Still image from Capitol building surveillance footage at 2:58:06 pm, depicting WILSON (red) and Duke Wilson (blue) inside the tunnel.

At approximately 2:58:17 pm, WILSON threw a water bottle toward the police line, as captured in Image 6, which is Capitol building surveillance, and Image 7, which is footage filmed by Andrew Jackson Morgan,³ another rioter.

³ Morgan is charged under case number 21-cr-313, which is pending at the time of this writing.



Image 6: Still image from Capitol building surveillance footage at 2:58:17 pm, capturing WILSON (red) holding a water bottle (yellow) that he subsequently threw toward the police line.

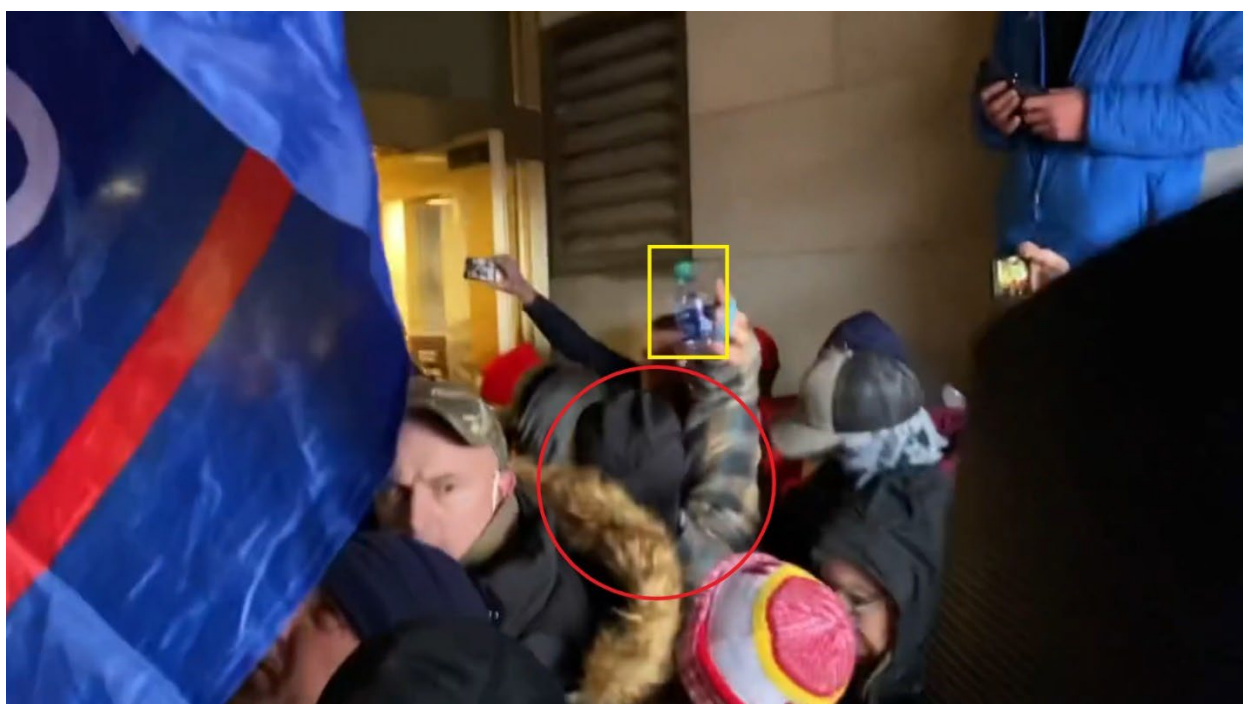


Image 7: Still image from Morgan's footage at approximately 2:58:17 pm, capturing WILSON (red) holding a water bottle (yellow) that he subsequently threw toward the police line.

WILSON and his father then moved back toward the tunnel archway, but then almost immediately began moving their way back toward the police line.

By 3:00:56 pm, WILSON was directly in front of the police line, separated only by shields that the police were using to defend themselves. At that time, WILSON grabbed hold of a pipe that a rioter behind him had begun to thrust toward the police, and WILSON rammed it toward the police repeatedly and forcefully, as captured in Morgan's footage in Image 8.



Image 8: Still image from Morgan's footage at approximately 3:00:56 pm, capturing WILSON (red) thrusting a pipe (yellow) toward the police.

WILSON maneuvered and aimed the pipe to thrust near the heads and faces of the officers, as captured Image 9 and Image 10, which are still images from the BWC footage of MPD Sergeant W.B., who was part of the police line defending the doorway.



Image 9: Still image from Sergeant W.B.'s BWC footage at 3:00:56 pm, depicting the pipe WILSON was welding.



Image 10: Still image from Sergeant W.B.'s BWC footage at 3:00:57 pm, depicting the pipe WILSON was welding.

The police then deployed OC spray, which hit WILSON. He threw the pipe toward the police line, turned around, and exited the tunnel. When he exited, publicly available footage⁴ of the riot shows that another rioter flushed out his eyes, as captured in Image 11. WILSON removed the black balaclava and is subsequently captured squinting, presumably in pain from the OC spray, in Image 12.



Image 11: Still image from “FULL FOOTAGE Patriots STORM U.S. Capitol” at time stamp 48:03, approximately 3:01:29 pm, depicting another rioter flushing out WILSON’S eyes.

⁴ “FULL FOOTAGE Patriots STORM U.S. Capitol” available at <https://archive.org/details/full-footage-patriots-storm-u.-s.-capitol-4-k-60fps>



Image 12: Still image from “FULL FOOTAGE Patriots STORM U.S. Capitol” at time stamp 48:18, at approximately 3:01:44 pm, depicting WILSON squinting outside of the tunnel.

Other rioters then assisted WILSON away from the tunnel.

CHARGES SUPPORTED BY PROBABLE CAUSE

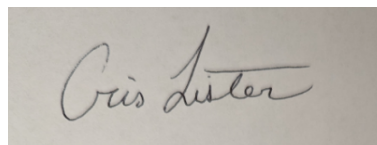
Based on the foregoing, your affiant submits that there is probable cause to believe that WILSON violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance 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 further submits there is probable cause to believe that WILSON violated 18 U.S.C. § 111(a)(1) and (b), which makes it a crime to (a) forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in 18 U.S.C. § 1114 as an officer or employee of the United States while engaged in or on account of the performance of official duties; and (b) use a deadly or dangerous weapon or inflict bodily injury during such assault.

Your affiant submits there is also probable cause to believe that WILSON 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 WILSON violated 40 U.S.C. § 5104(e)(2)(D) and (F), 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; (F) engage in an act of physical violence in the Grounds or any of the Capitol Building.

A rectangular box containing a handwritten signature in cursive script that reads "Cris Lister".

Cris Lister
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 31ST day of August 2023.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE