

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer with the Federal Bureau of Investigation Joint Terrorism Task Force and have been since April 1, 2021. I have been a law enforcement officer for twenty-seven years in the State of Florida. I have been a Detective with the Pinellas County Sheriff's Office for over twelve years and have served as a Task Force Officer with the Federal Bureau of Investigation's Safe Streets Task Force and Joint Terrorism Task Force in Tampa, Florida since 2017. As a Task Force Officer, I am authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of federal criminal laws.

I. Background Regarding the Events Of 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, S.E., 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.

II. Actions of Ryan Keith Yates on January 6, 2021

Google location data showed that a device associated with the Google account ID 502747000000 and email address XXXXXXXXXX.yates@gmail.com (the Yates email) was present at the Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time.

In case, Google location data shows that a device associated with the Google account ID 502747000000 and the Yates email was present at the locations illustrated in Image 1 below from approximately 2:15 to 4:40 p.m. The device was within the U.S. Capitol at locations reflected by each darker blue circle in Image-1, with the “maps display radius” reflected by each lighter blue ring around each darker blue circle. As illustrated in Image-1, the listed locations encompass areas that are at least partially within the U.S. Capitol Building. Specifically, the device appeared to enter the building near the Senate Wing Corridor, travel to the Capitol Rotunda and the House side of the building, back to the Rotunda, and out through an eastern exit. In addition, as illustrated in Image-1, the listed locations were entirely within areas of the U.S. Capitol Grounds, which were restricted on January 6, 2021. A subsequent subpoena to Google LLC revealed that the email was used by “Ryan Yates.” The email had a phone number beginning with area code “813” and ending with “8950” (the Yates phone) to recover the account.

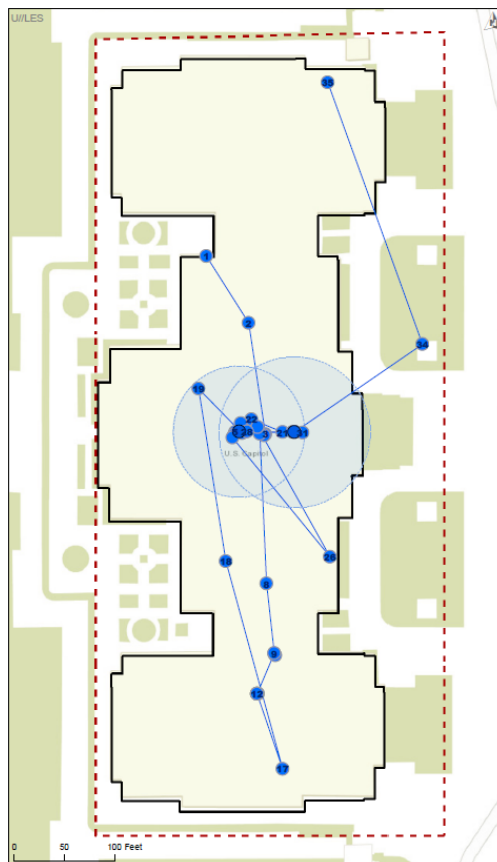


Image 1: Travel of a device using the Yates email through the Capitol

On July 15, 2021, I and another FBI agent interviewed Yates in person. In that interview, Yates confirmed that he used the Yates phone and Yates email (he declined to answer any substantive questions about his presence at the Capitol).

Using a photo of Yates taken prior to January 6, 2021, the FBI was able to identify Yates and reconstruct his journey to and through the Capitol that day. To begin, Yates stood on the National Mall, wearing a blue and burgundy hoodie and a camouflage baseball cap with orange lettering saying, “Make America Great Again.” Later, he stood outside the Capitol building, along the northwest corner, near the scaffolding that was set up for the inauguration. There, in addition to the hoodie and hat, Yates wore white gloves, tan pants, and white sneakers with black stripes. Additional pictures also showed him with a black backpack. Near the scaffolding, Yates pushed away barricades that had been set up to block protesters from reaching the Capitol.



Image 2: Yates on the National Mall



Image 3: Yates moving barricades

Based on my review of U.S. Capitol Police CCV footage, Yates entered the Capitol at 2:17 p.m., through the Senate Wing Door. His phone's flashlight was on, and he held the device as if recording the scene. Yates subsequently traveled down the Statuary Hall Connector and to the House side of the building, where he stood near a group of protesters, apparently typing on his

phone, as they tried to break into the House floor. Yates also traveled to the Capitol Rotunda and Crypt, wearing the same distinctive clothing.

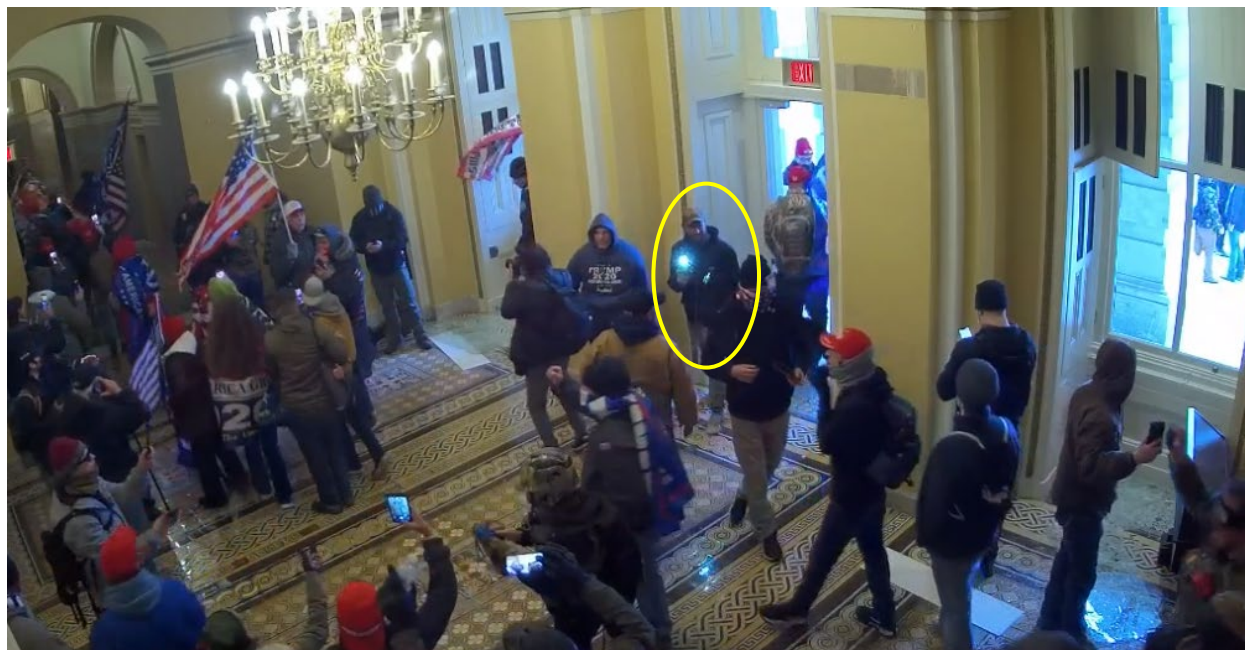


Image 4: Yates entering the Capitol

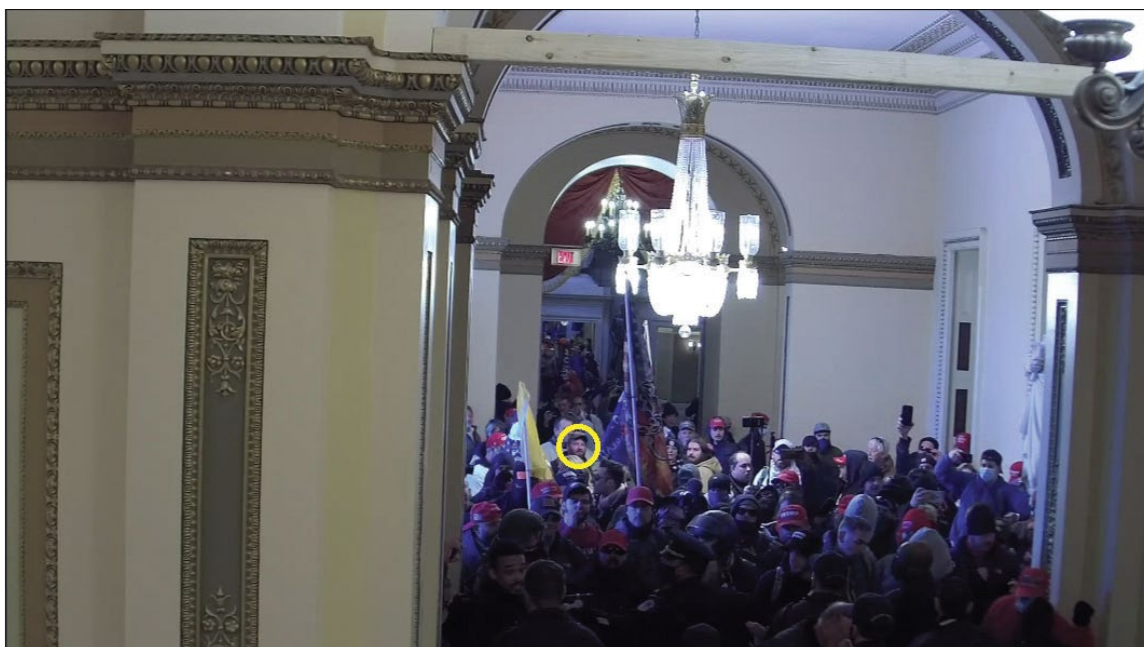


Image 5: Yates traveling down the Statuary Hall Connector



Image 6: Yates outside the House Gallery

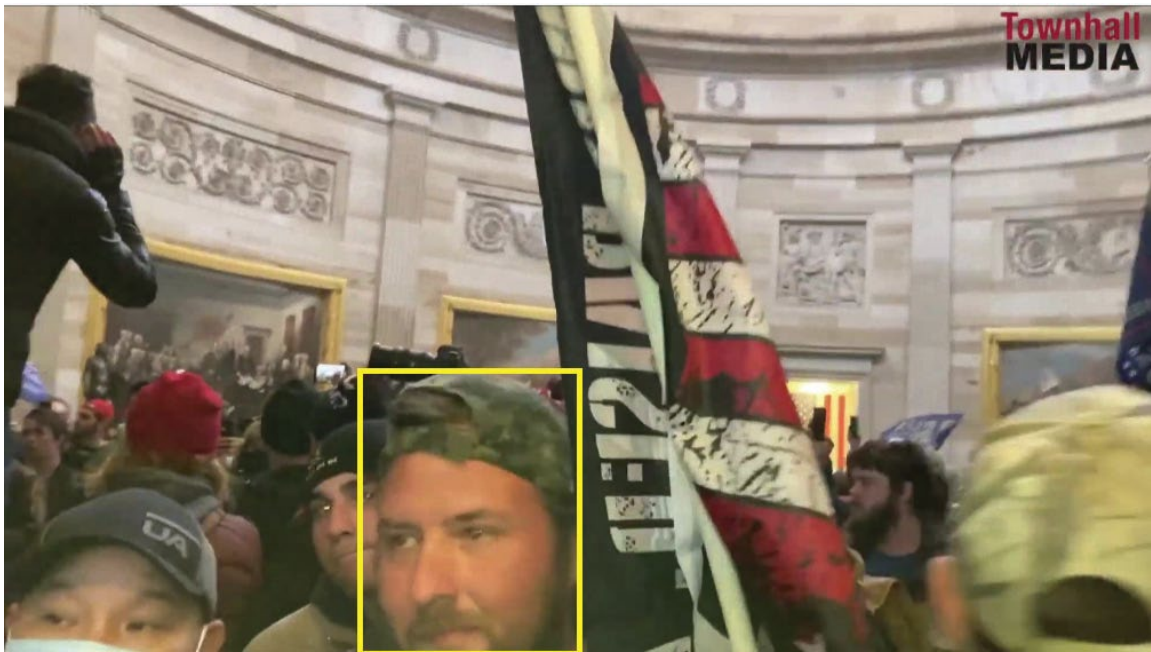


Image 7: Yates in the Capitol Rotunda



Image 8: Yates in the Crypt

Finally, around 3:20 p.m., Yates went to the interior Rotunda door, which connects the Rotunda to the east entrance of the Capitol. As rioters rushed from the outside to get into the Rotunda, Yates joined in the effort. Initially passive in the crowd, Yates began to pump his fist as rioters got in, and joined as the crowd surged forward. He worked his way to the front of the group, and, along with a handful of other rioters, was able to push against police to get inside the Rotunda itself before officers were able to get the door closed. Inside the Rotunda, surrounded by police, Yates was escorted out of the Rotunda with his arms raised. He was seen later looking at his phone outside of the Capitol.

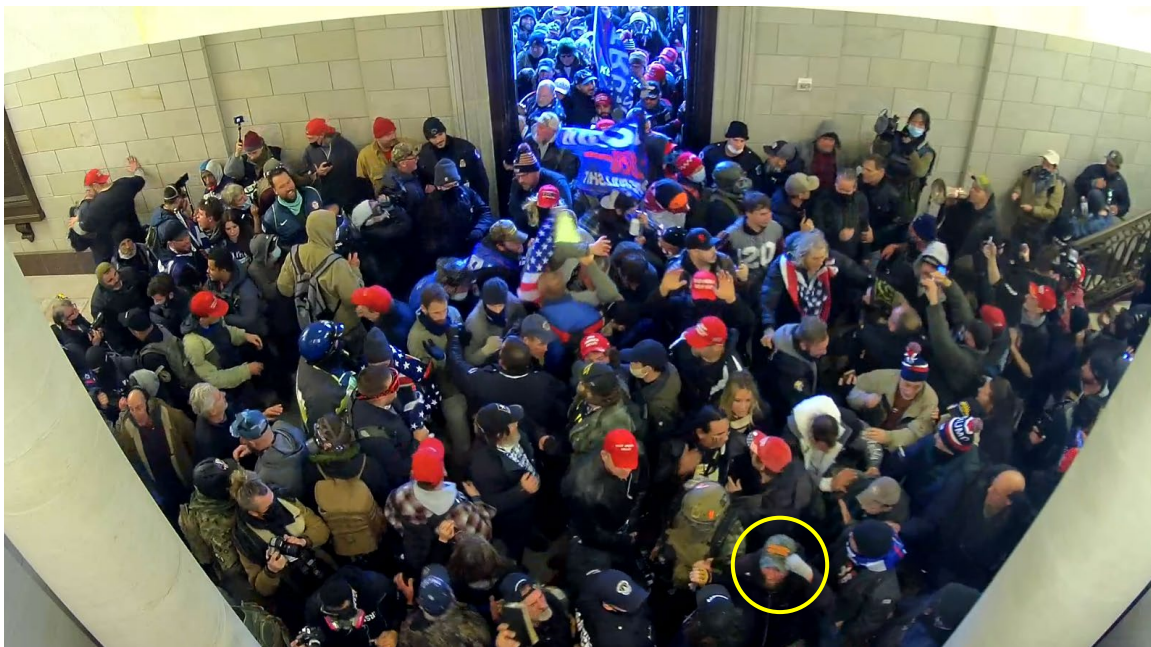


Image 9: Yates near the Rotunda door (front view)



Image 10: Yates near the Rotunda door (side view)



Image 11: Yates in the fight to enter the Rotunda

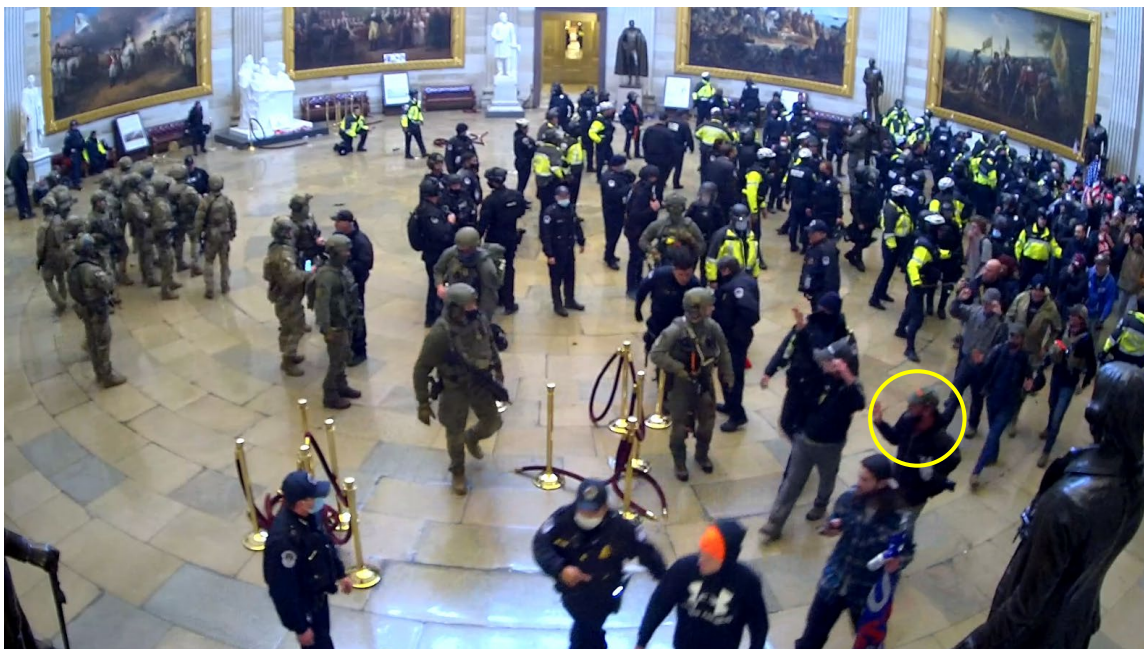


Image 12: Yates being escorted out the Rotunda

After interviewing Yates in person on July 15, 2021, I confirmed Yates's identity in these photos and videos. Additionally, the FBI interviewed a close associate of Yates, and showed the associate twelve photos of Yates at the Capitol. The associate confirmed Yates's identity in two of the photos: Image 3 and Image 7 above. Later, the associate sent further confirmation of Yates's identity by sharing a photo of Yates from several years before, where Yates had the same blue and burgundy hoodie he wore to the Capitol.

Based on the foregoing, I submit there is probable cause to believe that Ryan Keith Yates 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.

I also submit that there is probable cause to believe that Ryan Keith Yates violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) 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.

Finally, I submit submits there is probable cause to believe that Ryan Keith Yates 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.

[REDACTED]

[REDACTED]

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 22nd day of September, 2023.

HONORABLE ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE