

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Waukesha County Sheriff's Office Detective assigned to work as a Task Force Officer (TFO) on the Federal Bureau of Investigation (FBI) Milwaukee Joint Terrorism Task Force (JTTF). As a TFO, I conduct and participate in investigations which involve terrorist acts that affect the United States and its interests. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a TFO 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.

Background – The U.S. Capitol on 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, NW, 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.

Identification of CHARLES WALTERS

Based on my participation in this investigation, including information received from an anonymous source, a review of records obtained by law enforcement, and conversations with other law enforcement officers about the same, I have learned in substance, the following:

On, or about, January 9, 2021, FBI representatives, and City of Sparta Police Department Officer, acting on information provided by a party who wished to remain anonymous, went to 110 South Benton and contacted a man identified as WALTERS. Based on driver's license information, WALTERS is a white male, dob 5/14/86, 6 feet tall, 165 pounds, with brown eyes and black hair who lives at the 110 South Benton, Sparta, Wisconsin. WALTERS consented to an interview and admitted that he was at the U.S. Capital on January 6, 2021; that he was wearing a black ballistic military-style vest while there; and that he entered the U.S. Capital Building, but only after being forced to do so by the crowd around him. He reported that he walked around the inside of the building for only a few minutes before he left the building at the direction of police officers. He also said that he attempted to take video recordings using his cellular phone, but that he was not completely successful and no longer had any such recordings. He further indicated that he drove his car to and from the U.S. Capital.

On March 1st, 2023, I completed a review of portions of digital content which were identified as containing images of WALTERS, based on a comparison of his State of Wisconsin license photo. Portions of digital content showed WALTERS directly outside of a door to the U.S. Capital Building while wearing a grey

stocking-type hat, a grey hooded jacket, and a blue backpack, and holding a black cellular phone extended forward from his body:

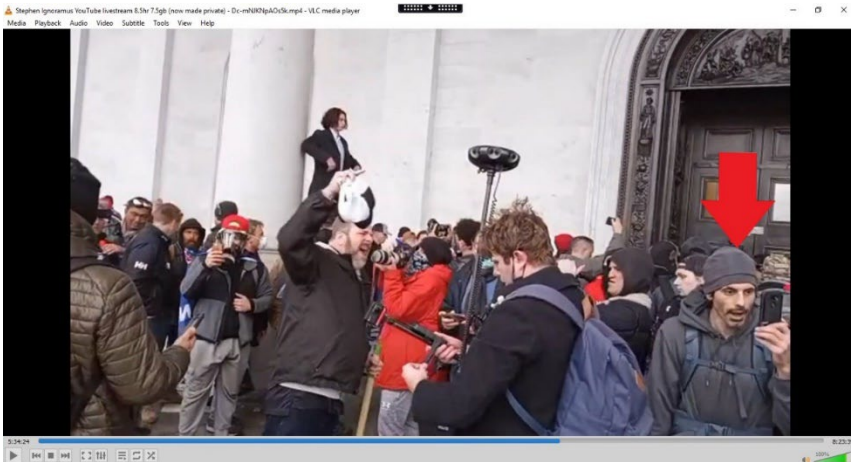


Figure 1 – Screen capture from Stephen Ignoramus YouTube livestream 8.5hr 7.5gb video (now made private-DC-mNJKNpAOs5k.mp4) of WALTERS on the east front of restricted Capitol grounds outside the Rotunda Doors with black cellular phone extended from his body.

The two Sparta Police Officers who interviewed WALTERS were provided copies of the above image. Each subsequently confirmed that the person identified in the image was the person they previously interviewed and identified as WALTERS.

CHARLES WALTERS Conduct on January 6, 2021

On December 16, 2021, FBI Agents provided FBI Milwaukee with information which indicated WALTERS was in several additional videos that had been posted to the internet and were publicly accessible. An FBI Task Force Officer accessed and reviewed the identified videos and identified WALTERS in each. I have independently reviewed the videos and images and also believe the videos depict WALTERS.

WALTERS is indicated by red arrows or a yellow circle in the images below. In a number of videos, WALTERS is holding a cellular phone or digital SLR-style camera and wearing either a black riot-style helmet or grey stocking-type hat, black ballistic-style vest, grey hooded jacket, tan pants, and a blue backpack. His face is fully viewable at times and at other times he is wearing dark glasses and a black surgical-style mask. His appearance in each video is further described below.

WALTERS can be observed amongst a crowd of people on the west front of the Capitol being directed away from the U.S. Capitol building (USCB) by law enforcement before he reaches an area where there is black fencing. He is wearing a grey hooded jacket, a black riot-style helmet, a black ballistic-style vest, and tan

pants as he kicks the railing until it folds forward. The fencing was installed for the Presidential Inauguration ceremony and was purchased for a total of \$32,000 based on information provided by the Architect of the Capitol. The sections damaged by WALTERS were valued at \$1,170.72

URL: www.youtube.com/watch?v=HT743_dT3G0&t=69 , uploaded by YouTube user “Warren Rios” and titled “More Footage from the 6th.”



Figure 2.1 – Screen capture from additional frame from open-source footage of WALTERS damaging fencing.

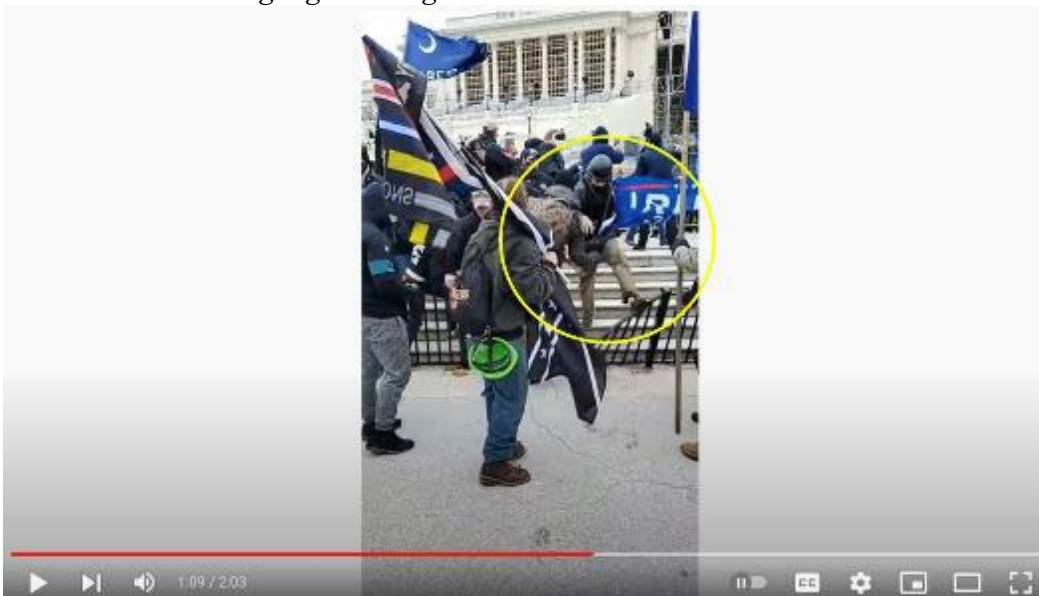


Figure 2.2 – Screen capture from additional frame from open-source footage of WALTERS damaging fencing.

A video file: URL: www.facebook.com/leon.kerns/videos/3668417996546205 shows a different perspective of WALTERS being directed away from the USCB and kicking the fencing until it bends forward.

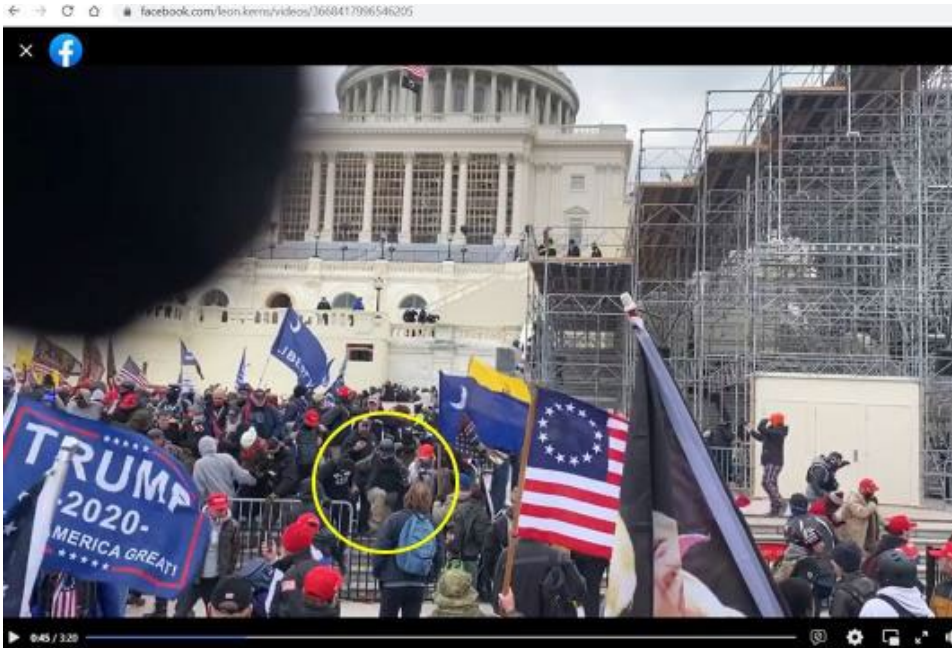


Figure 3.1 – Screen capture from additional open-source footage of WALTERS damaging fencing.

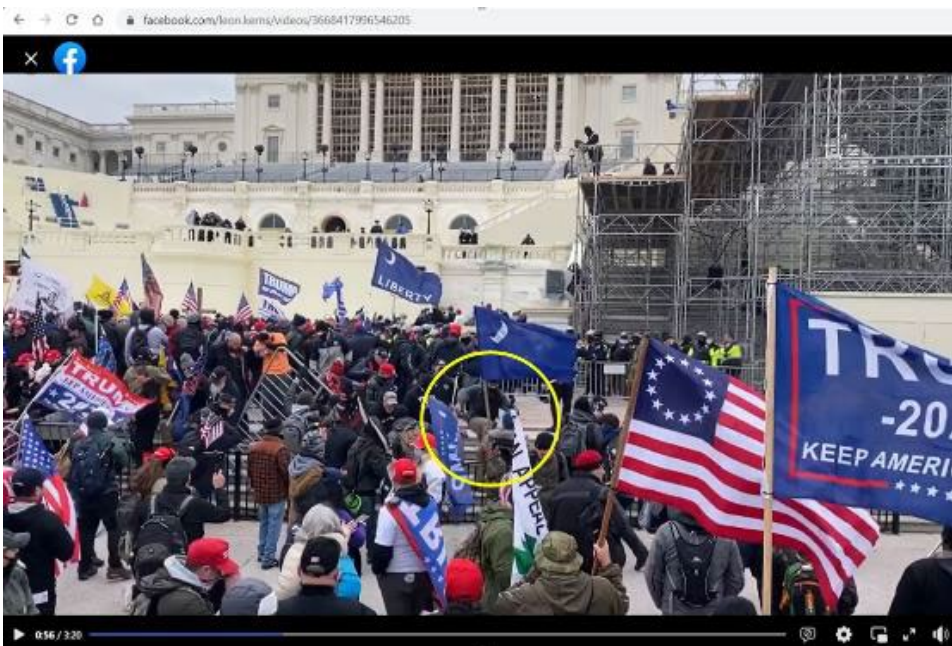


Figure 3.2 – Screen capture from additional frame from second open-source footage of WALTERS damaging fencing.

WALTERS then remained in the area a short distance west from the fencing he damaged and walked back and forth in front of bike rack barricades being reset by members of law enforcement. This video depicts WALTERS wearing a grey jacket, a black riot-style helmet, a black ballistic-style vest, dark glasses, and a black surgical-style mask pulled down under his mouth, and holding a camera on a small mount that appears to be several inches in length. URL, www.facebook.com/leon.kerns/videos/3668463806541624.



Figure 4 – Screen capture from open-source video footage of WALTERS on restrictive grounds after damaging fencing.

WALTERS was also in an area on the west side of the USCB amongst a crowd of people facing a line of law enforcement officers who are dressed in marked uniforms and “riot gear.” URL: www.youtube.com/watch?v=YzxxvVi8wkrU&t=121, titled “Townhall’s Frontline Footage of Capitol Building Riots.”



Figure 5 – Screen capture from open-source video footage of WALTERS near police line while on restricted grounds.

WALTERS also stood on an inaugural stage riser between the north and south staircases on the west side of the USCB and appeared to be filming the crowd below. Numerous people appear to be filtering into the area from a lower-level past law enforcement members who appear to be holding canisters of chemical irritants.

URL: www.youtube.com/watch?v=GD7kBvJUnbA&t=1:



Figure 6 – Screen capture from open-source video footage of WALTERS on inaugural stage riser.

WALTERS can be observed amongst a crowd of people at the base of a stairway in an alcove area on the west front of the USCB across from a courtyard-like area at the top of the north staircase to the USCB. WALTERS appears to hold a digital SLR-style camera in his left hand and holds onto a person ahead of him with his right hand while the two appear to join a column or stack formation of other people wearing

riot helmets and ascending the stairway and entering the USCB. Open-source video found at: URL: www.vimeo.com/500245716:



Figure 7.1 – Screen capture from open-source video footage of WALTERS in stack formation.



Figure 7.2 – Screen capture from additional frame from open-source video footage of WALTERS in stack formation.

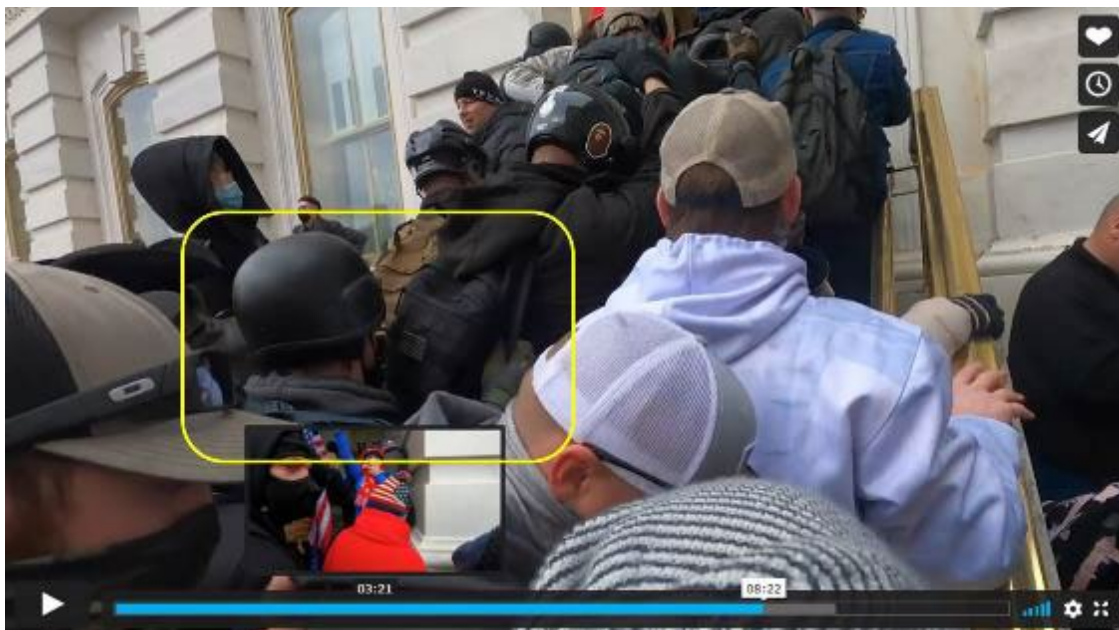


Figure 7.3 – Screen capture from additional frame from open-source video footage of WALTERS in stack formation about to enter the U.S. Capitol.

WALTERS was identified in several portions of open source and video surveillance recordings captured by Closed Circuit Video (CCV) cameras inside of the USCB on January 6, 2021. He can be identified wearing the same black riot-style helmet, black ballistic-style vest, grey hooded jacket, tan pants, and a blue backpack and using what appears to be a digital SLR-style camera. URL: 0122 USCS 01 West Stairs S131_2021-01-06_14h40min00s787ms

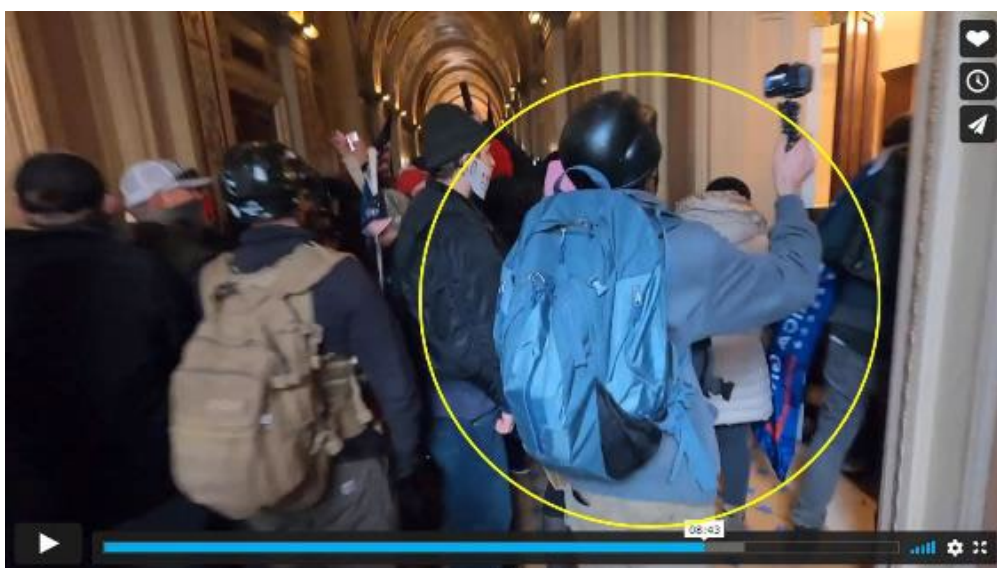


Figure 7.4 – Screen capture from additional frame from open-source video footage of WALTERS inside the U.S. Capitol using SLR-style camera.



Figure 8.1 – Screen capture from United States Capitol Police CCV footage of WALTERS just after he entered the U.S. Capitol building at or after approximately 2:40 p.m., EST. After a few moments, WALTERS enters the Senate Parliamentarian’s Office.

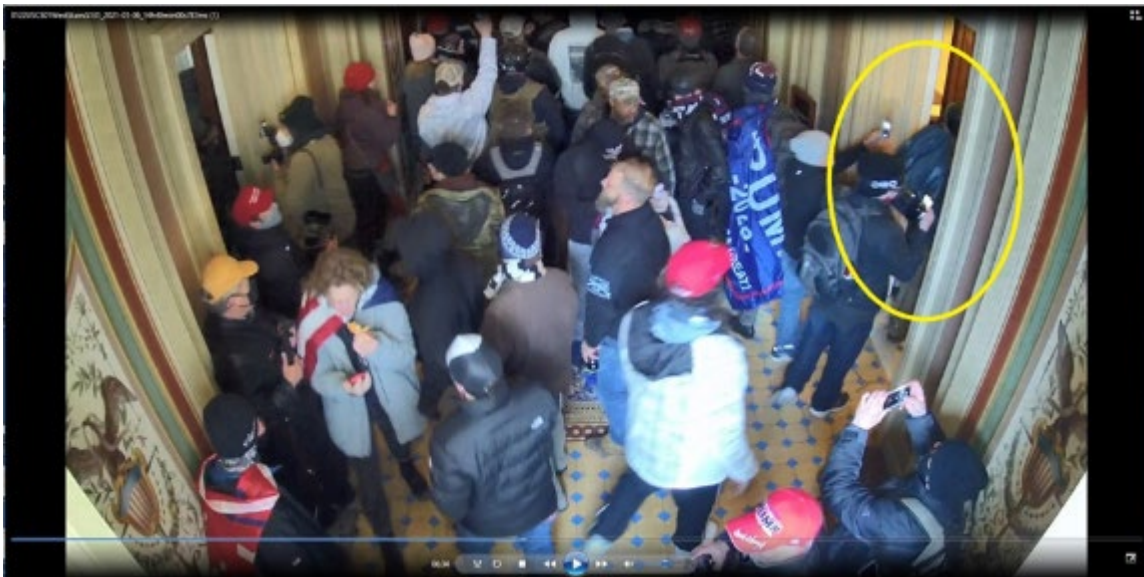


Figure 8.2 – Screen capture from Capitol Police CCV footage of WALTERS entering the Senate Parliamentarian’s Office.



Figure 9.1 – Screen capture from United States Capitol Police CCV footage of WALTERS near the North Door Appointment Desk at approximately 2:58 p.m., EST, amongst a crowd of people moving east and out of view in a first-floor hallway of the Senate area of the USCB past members of law enforcement who appear to be trying to stop the crowd. After a few moments, WALTERS comes back into view from the east and enters an intersecting hallway to head north toward what appears to be an exit.

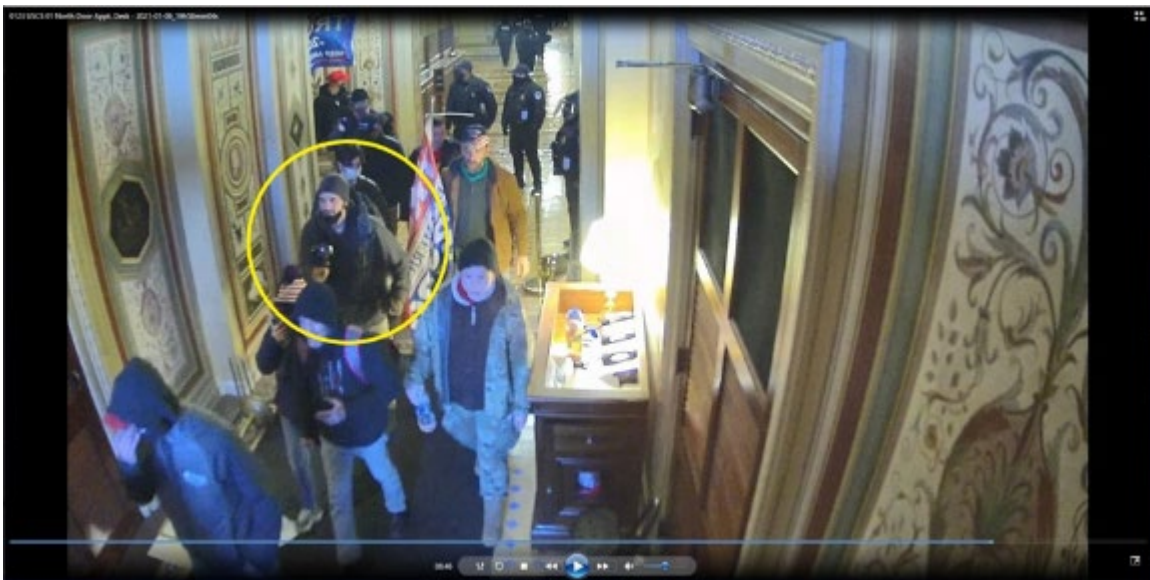


Figure 9.2 – Screen capture from additional frame from United States Capitol Police CCV footage of WALTERS near the North Door Appointment Desk.

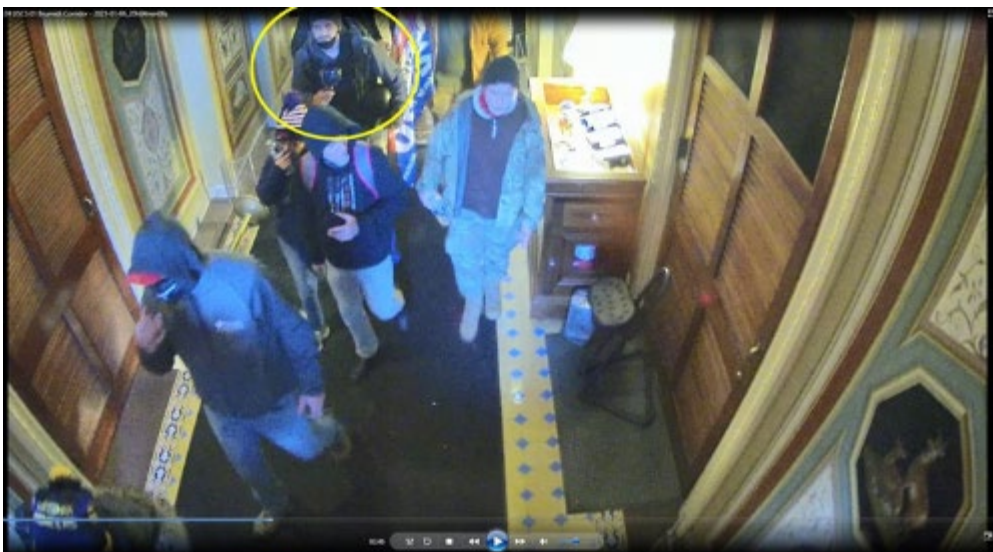


Figure 10 – Screen capture from a view from United States Capitol CCV footage of WALTERS near the North Door Appointment Desk at approximately 3:04 p.m., EST. WALTERS walked north and towards what appeared to be an exit.

After exiting the Capitol Building, WALTERS remained on Capitol grounds and was seen in body worn camera video footage captured by United States Capitol Police after 5:00 in the evening.



Figure 11.1 – Screen capture from body worn camera footage showing WALTERS on west front of US Capitol Building on the northernmost inaugural stage riser in restricted Capitol grounds at approximately 5:09 p.m. EST.



Figure 11.2– Screen capture from additional frame from body worn camera footage showing WALTERS on the west front of the U.S. Capitol Building on the northernmost platform of restricted Capitol grounds at approximately 5:10 p.m. EST.

During late afternoon or early evening hours WALTERS can be observed amongst a crowd of people being directed in a northwestern direction away from the USCB by law enforcement. WALTERS is no longer wearing the riot-style helmet and instead has the hood of his grey hooded jacket is pulled up over a grey stocking-style hat. He continues to wear a blue backpack. WALTERS can be observed moving as directed by law enforcement but, also periodically turning and reapproaching law enforcement, and appearing to attempt to engage them verbally. URL: www.youtube.com/watch?v=YONAuAesjAY&t=1756:

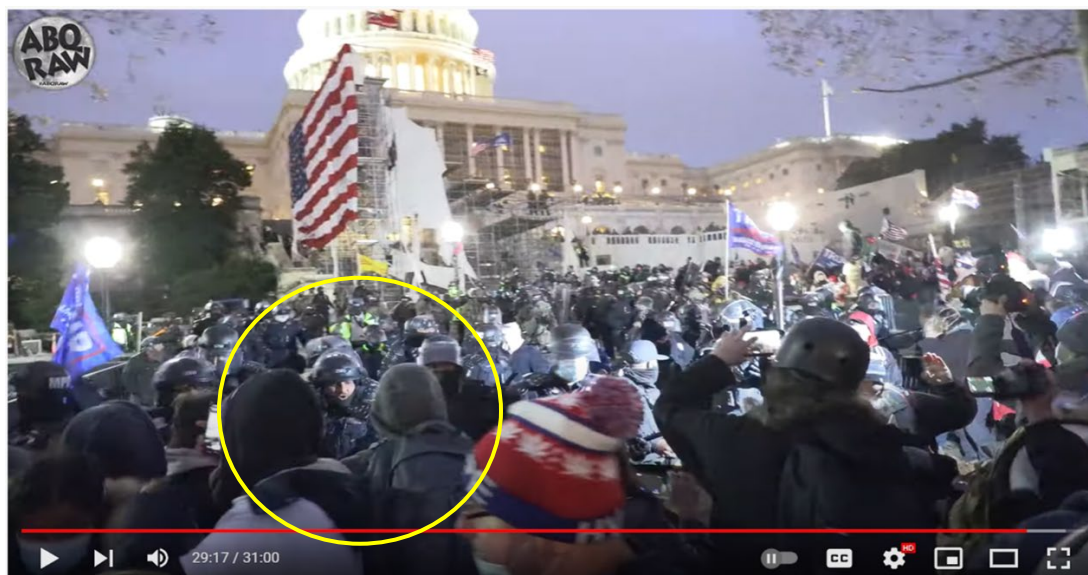


Figure 12.1 – Screen capture from open-source video footage of WALTERS outside the U.S. Capitol.

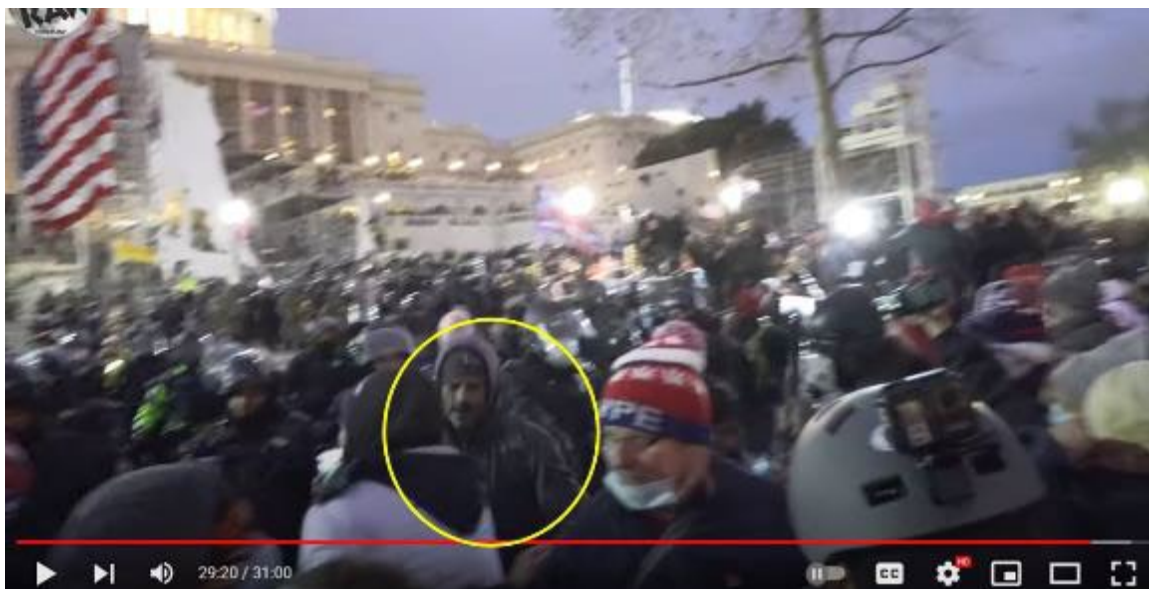


Figure 12.2 – Screen capture from additional frame of footage of WALTERS outside the U.S. Capitol.

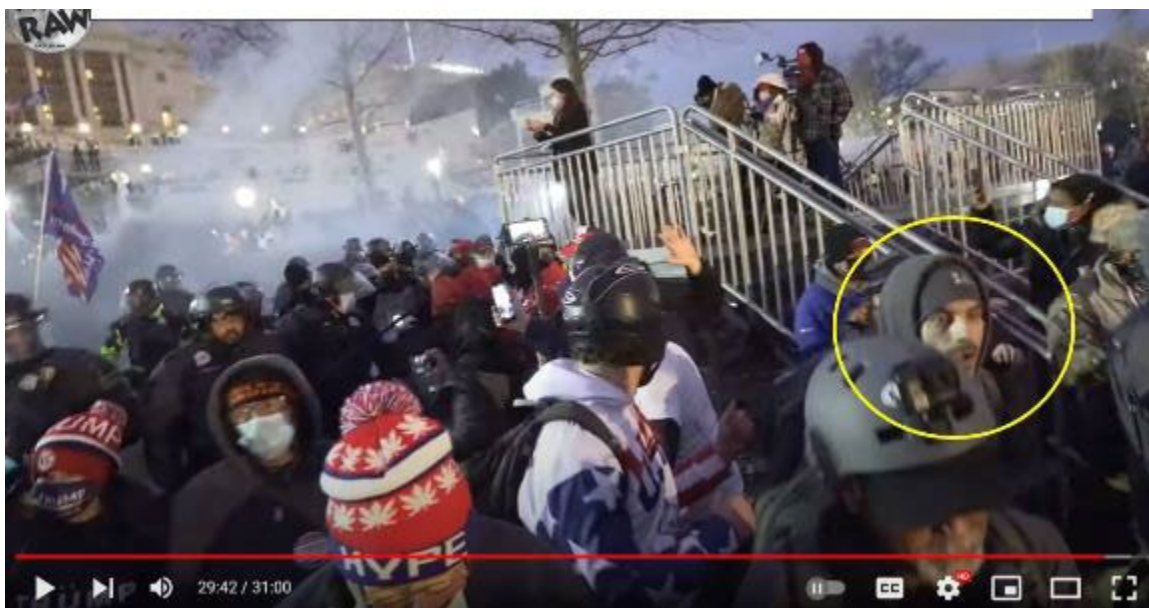


Figure 12.3 – Screen capture from additional frame of footage of WALTERS outside the Capitol building.

I know, based on a review of records that are maintained by the State of Wisconsin, that WALTERS has been issued a State of Wisconsin driver's license with number W436-1568-6174-00 and with an address of the 110 South Benton, Sparta, Wisconsin. Additionally, WALTERS was located and interviewed at the

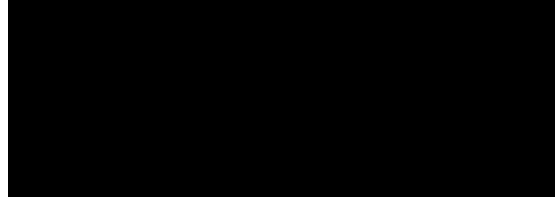
that address in January 2021 and was observed at that location during physical surveillance conducted by FBI agents on May 4, 2022, April 7, 2023, and most recently on September 15, 2023.

I know, based on a review of records that are maintained by the State of Wisconsin, that WALTERS is listed as the owner of Gold 2011 Chrysler Town & Country Van with VIN #2A4RR5DGXBR701715 and assigned State of Wisconsin license plate #ATM4390. Additionally, he was observed as the operator of that vehicle during physical surveillance conducted on September 15, 2023.

Based on the foregoing, your affiant submits that there is probable cause to believe that CHARLES R. WALTERS 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; or attempts or conspires or aids or abets others 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 CHARLES R. WALTERS 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 on 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.

Your affiant submits there is probable cause to believe that CHARLES R. WALTERS violated 18 U.S. C. § 1361, by willfully injuring or depredating of any property of the United States of a value of \$1,170.72.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 25th day of September, 2023.

HONORABLE ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE