

Case: 1:23-mj-00271
Assigned To : Harvey, G. Michael
Assign. Date : 10/13/2023
Description: Complaint W/ Arrest Warrant

STATEMENT OF FACTS

Your affiant, Tarek Houssamy, is a Task Force Officer assigned to FBI Joint Terrorism Task Force (JTTF). In my duties as a Task Force Officer, I investigate complaints and crimes related to national security and terrorism related violations. Currently, I am 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 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 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 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 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.

JOSEPH VAGLICA'S Participation in the Capitol Siege

This investigation was initiated based on information that JOSEPH VAGLICA may have unlawfully entered on Capitol Grounds, a restricted area, in violation of multiple federal laws on January 6, 2021.

According to records obtained through a search warrant served on Google, a device associated with vaglica_joseph@XXXXXXXXX was present at or around the Capitol on January 6, 2021, between approximately 2:16pm and 4:35pm.

Results from a search warrant served on Yahoo listed JOSEPH VAGLICA as the email subscriber with an associated number of XXX-XXX-2623. Sprint search warrant results confirmed the subscriber of XXX-XXX-2623 to be the name JOSEPH VAGLICA, with an address in Edgewater Florida that was effective until March 10, 2022, when the address changed to one in Youngstown, Ohio. Law enforcement database record indicate that Edgewater, Florida address is listed on JOSEPH VAGLICA's Florida driver's license.

Footage obtained from open sources and the U.S. Capitol building Closed Circuit Video (CCTV) shows JOSEPH VAGLICA wearing: a black hooded sweatshirt under a red shirt, a red, white, and blue baseball hat, a black jacket, dark pants (with stipes down the leg), and an America flag scarf.

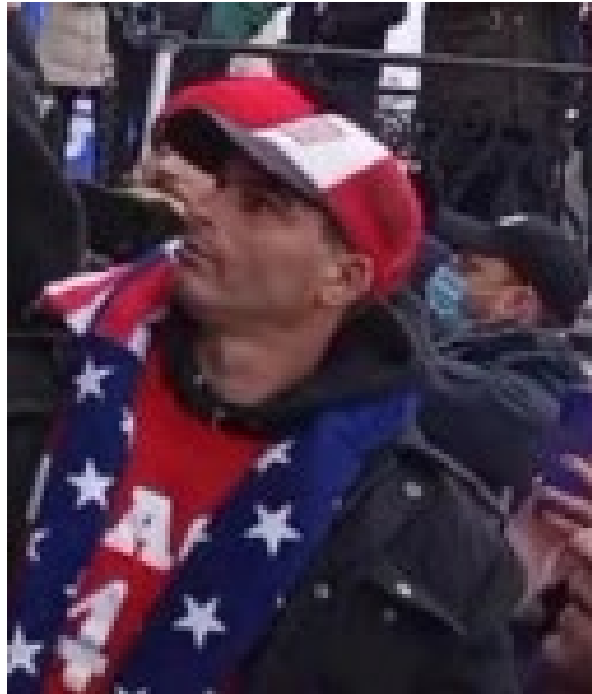


Image 1

Open sources captured VAGLICA at the “Stop the Steal” rally hosted by former President Donald Trump (Image 2).



Image 2

CCTV captured JOSEPH VAGLICA, circled in yellow, entering the Capitol's Senate Wing Doors at approximately 2:25PM (Image 3). JOSEPH VAGLICA remained inside the Capitol for approximately twenty-three minutes. While inside, VAGLICA is often seen holding what appears to be a phone and selfie stick.

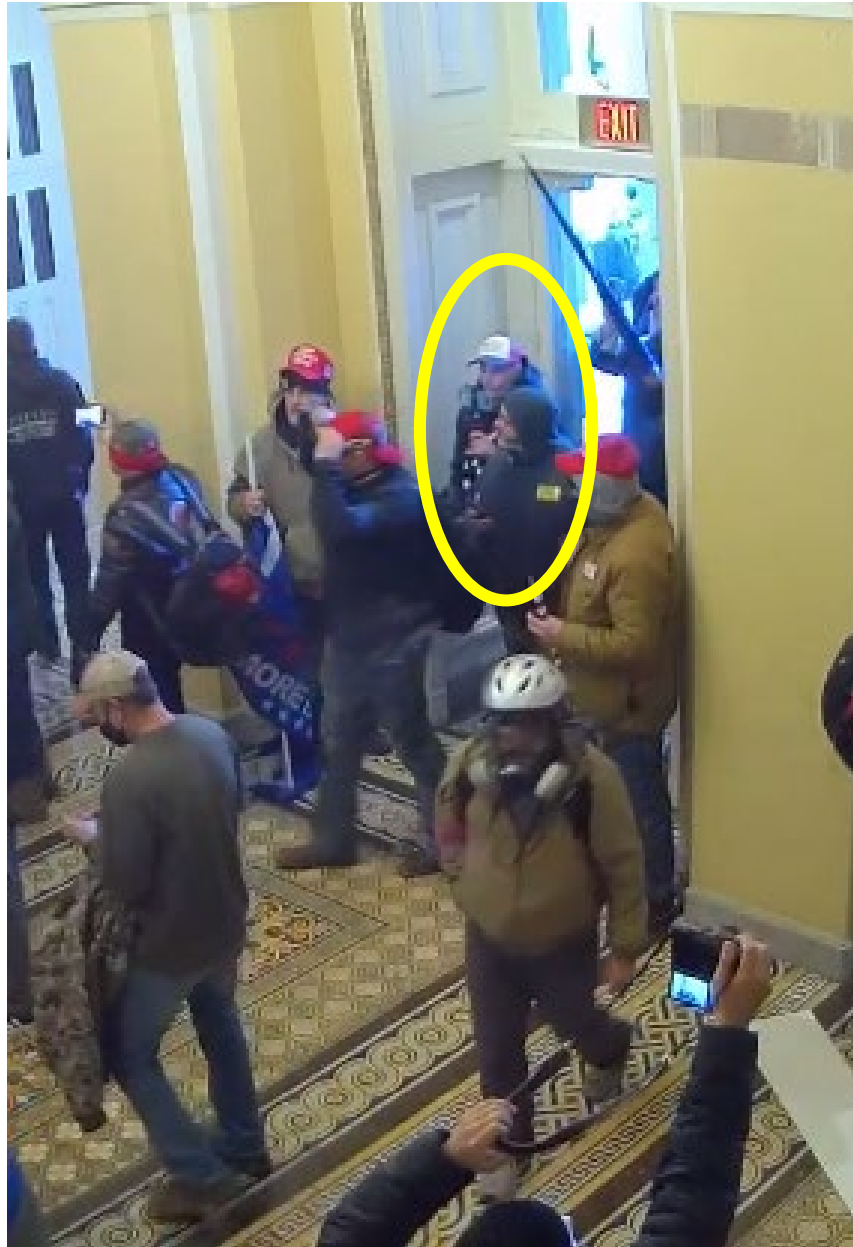


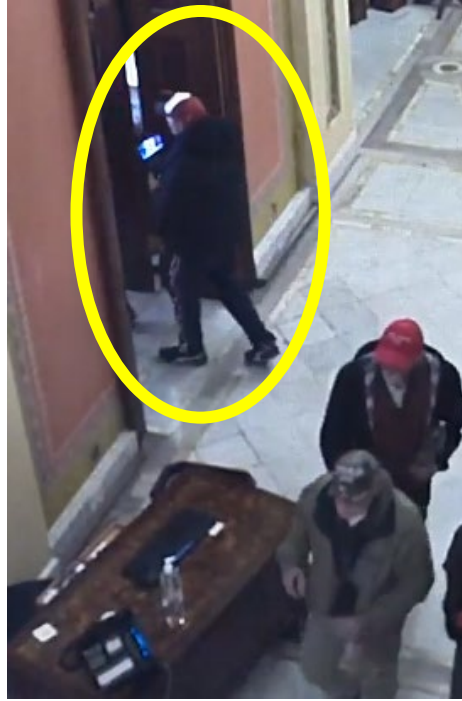
Image 3

After entering, VAGLICA made his way through the to the Crypt to a conference room near former Speaker Nancy Pelosi's office (Image 4), as well as the Speaker's office itself (Image 5).

Image 4



Image 5



VAGLICA then ventured through the Rotunda, to the Rotunda Doors, where he appeared to film an active breach of the Rotunda Doors (Image 6).

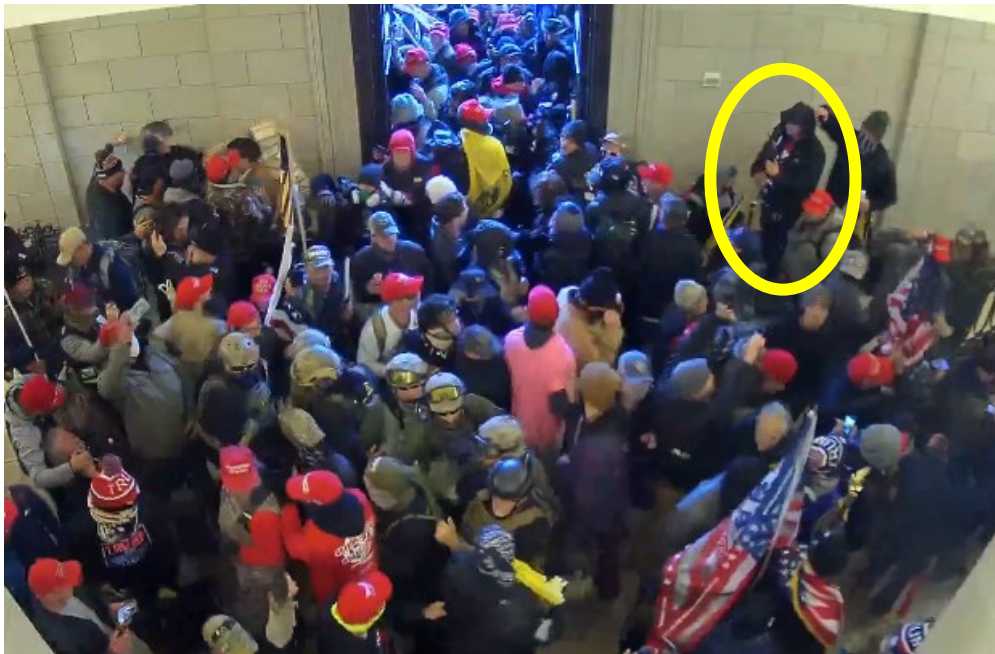


Image 6

After spending more time throughout the Capitol building, JOSEPH VAGLICA entered a corridor on the second floor of the House side of the Capitol building (Image 7), before exiting out of the Memorial Doors (Image 8). Open-source media captured VAGLICA remaining on Capitol grounds, listening to people speak.

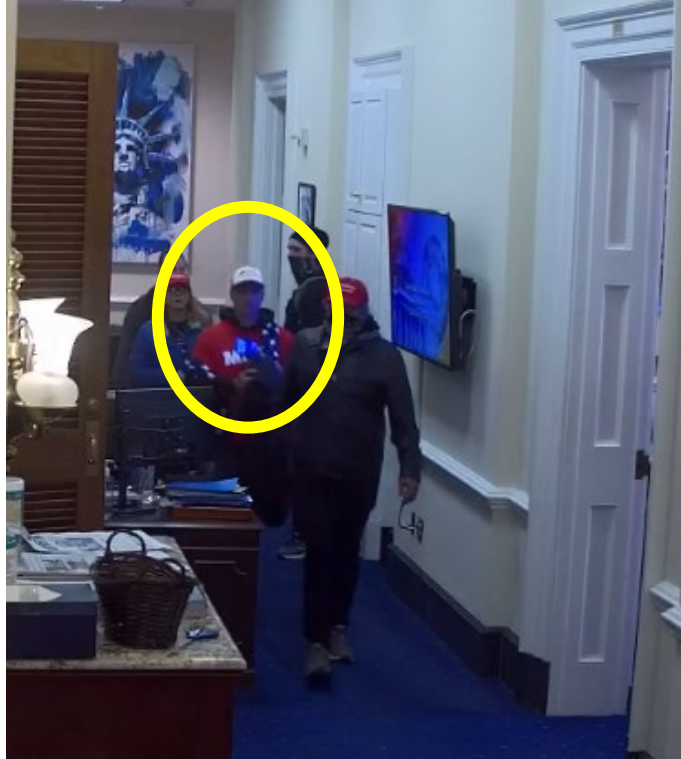


Image 7



Image 8

Your Affiant met with VAGLICA and based on the contact, can positively identified VAGLICA in the images from January 6, 2021. Witness 1, who personally knows VAGLICA, was interviewed, and positively identified VAGLICA in copies of the still photos below, Images 9-10, as well as Image 1.

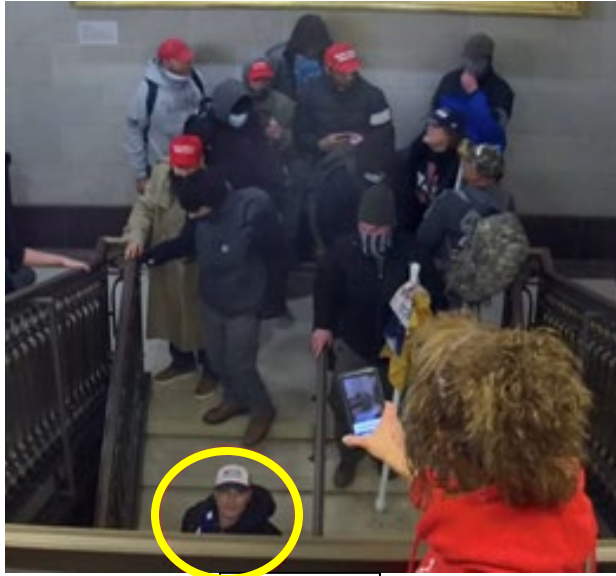


Image 9



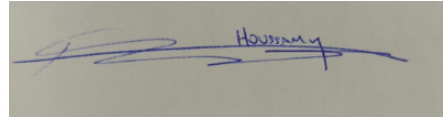
Image 10



Image 11

Based on the foregoing, your affiant submits that there is probable cause to believe that JOSEPH VAGLICA 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. 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 JOSEPH VAGLICA violated 40 U.S.C. § 5104(e)(2)(C),(D), and (G) which makes it a crime to willfully and knowingly (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (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 (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Tarek Houssamy
Task Force Officer/ FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone, this 13th day of October 2023

HON. G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE