

STATEMENT OF FACTS

I, [REDACTED], am a Special Agent with the Federal Bureau of Investigation assigned to the Joint Terrorism Task Force in Sacramento, California. In my duties as a special agent, I am currently assigned to investigate matters primarily involving domestic terrorism. Currently, 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 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 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 PATRICK WOEHL

Since January 6, 2021, the FBI has been investigating and identifying those who were inside of the Capitol without authority and disrupted the proceedings. During that investigation, and pursuant to legal process, the FBI learned that a device associated with a particular telephone number ending in 3318 (the subject telephone number) was present near or inside of the Capitol on January 6, 2021.

Legal process to Comcast identified the subscriber of the subject telephone number as Patrick Woehl and identified his residence at a specific address in Citrus Heights, California.

On June 12, 2022, two FBI agents interviewed Woehl in the parking lot of his workplace. I spoke to one of the agents who interviewed Woehl that day. According to the agent, the agent recognized Woehl from his Driver's License photograph. In addition, the agent informed me that Woehl verbally identified himself as Patrick Woehl. The interview lasted approximately 10 minutes. Woehl stated that he did not hurt anyone or break anything in the Capitol on January 6, 2021. He claimed he only went in the Capitol because police deployed smoke bombs behind him and the only way to avoid the smoke was to go inside the building. Woehl said he did not have additional time to talk to agents that day but would meet with agents the following day. Woehl verbally provided agents with his phone number – the subject telephone number – to coordinate another meeting.

On June 13, 2022, an FBI agent called the subject telephone number and spoke to Woehl. Woehl stated that he did not want to meet with agents before consulting with an attorney. Woehl reiterated that he did not hurt anyone or vandalize or break windows. Woehl claimed that he did nothing wrong.

PATRICK WOEHL's Conduct on January 6, 2021

The FBI reviewed open source videos and images, including videos available on YouTube.com. I have spoken to one of the interviewing agents and know that, based on the interviewing agent's interaction with and observation of Woehl, described above, he believes that Woehl is the individual circled in Image 1 below, which appears to have been filmed on the grounds of the Capitol on January 6, 2021:



Image 1: A screenshot from a YouTube video¹ showing Woehl (circled in red) on the Capitol grounds

By reviewing CCV footage from the Capitol, I observed Woehl entering the Capitol building through the Senate Wing Doors at approximately 2:24 PM on January 6, 2021:



Image 2: A screenshot from CCV footage showing Woehl (circled in red) just after walking through the Senate Wing Doors

Additional CCV footage shows Woehl at various locations throughout the Capitol building wearing a black jacket, a sweatshirt with a grey or white hood, black beanie style hat, and blue jeans. Those videos show that Woehl traveled from the Senate Wing Doors up to the Rotunda and exited at the East Front Doors at approximately 2:49 PM.

¹ Available at <https://www.youtube.com/watch?v=LeRYX4LOzYw&t=391s> (last visited August 31, 2023).



IMAGE 3: An image showing Woehl (circled in red) in the Rotunda

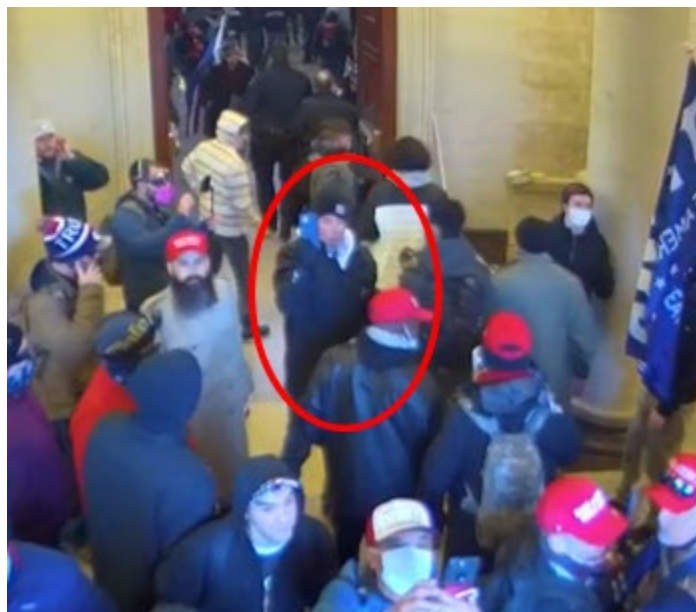


IMAGE 4: An image showing Woehl (circled in red) holding out his cellphone near the East Front Doors

By reviewing open source videos, I know that alarms were going off at the the Senate Wing Doors and East Front Doors when Woehl entered and exited the Capitol, including from an open source video showing Woehl exiting the Capitol:



IMAGE 5: Screenshot from a YouTube video² showing Woehl (circled in red) holding out his cellphone after exiting the East Front Doors

Based on the foregoing, I submit that there is probable cause to believe that Woehl 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 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.

I also submit there is also probable cause to believe that Woehl 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 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.

Signatures on the following page

² Available at <https://www.youtube.com/watch?v=ZjLvYqJ2-EM&t=3767s> (last visited August 31, 2023)



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 1st day of December 2023.

MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE