

STATEMENT OF FACTS

Your Affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigations (FBI), and have been since 2019. I have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, computer evidence identifications, computer evidence seizure and processing, and various other criminal laws and procedures. I have personally participated in the execution of search warrants involving the search and seizure of computer equipment. I have received training on the methods and tactics of open source intelligence gathering. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This Affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

Background

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 PM. Shortly thereafter, by approximately 1:30 PM, 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 PM, individuals in the crowd forced entry into the U.S. Capitol, including by breaking

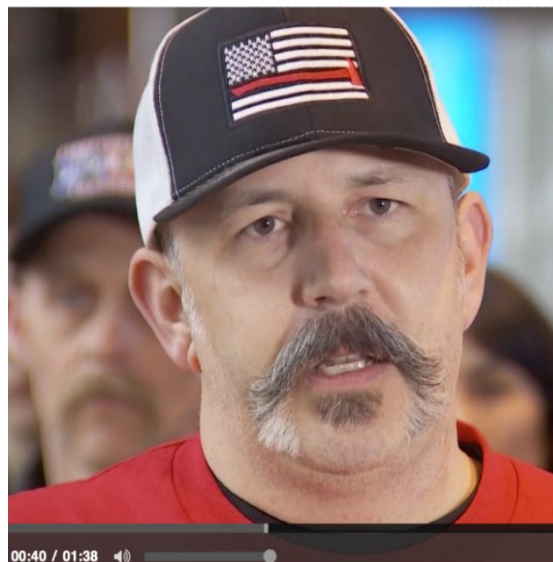
windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 PM, 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 PM. 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 have been 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.

Facts Specific to the Identification of DAHLQUIST

I have reviewed a King 5 News television news story titled, “A group of King County firefighters plea to drop vaccine mandate as jobs put in Jeopardy” which was published on April 18, 2022, and in which a firefighter in Washington state was pictured and named as "Frank Dahlquist." I compared that image to footage from the vicinity of the Capitol on January 6, 2021, as well as other footage from the Washington, D.C. area on January 5, 2021, and believe that the images depict the same individual. The image on the right below is from the above-referenced news story. The image on the left below is from an image captured on January 5, 2021.



Both individuals share unique facial features. These features include facial hair pattern and coloring. They also include ear size and a noticeable crease in the individual's right ear. In both instances, the depicted individual is wearing a hat featuring a "thin red line" logo, which is worn to show support for firefighters. The hat on the left shows a white Spartan helmet logo with a vertical red line running through it. The hat on the right shows a white American flag with a horizontal red line running through it. I further compared these photos with FRANK DAHLQUIST's Washington State Driver's License photo and believe they depict the same individual.

I have also reviewed live-stream video footage of a rally on January 5, 2021 in Washington D.C. that another attendee of the rally posted to Facebook. In that footage, DAHLQUIST can be seen wearing a black hoodie with "1776" in white numerals surrounded by white stars on the front. There is an unknown white logo on the right sleeve. DAHLQUIST is also wearing a black and grey baseball hat with a white graphic on the front.



The picture below, which was also captured during that rally, shows DAHLQUIST (framed in yellow) wearing what appears to be the same hat and and hoodie.



On January 6, 2021, DAHLQUIST was photographed and captured on video by multiple entities in and around the United States Capitol building, including by security cameras inside the Capitol, police body worn cameras (BWC), and video recorded by other individuals who were present in and around the Capitol grounds. In the screenshot below, which is part of video taken on the West Plaza of the Capitol Building, DAHLQUIST can be seen in the lower left corner wearing what appears to be the same thin red line hat with Spartan helmet logo and black 1776 hoodie. DAHLQUIST can also be seen wearing a black beanie beneath his hat.



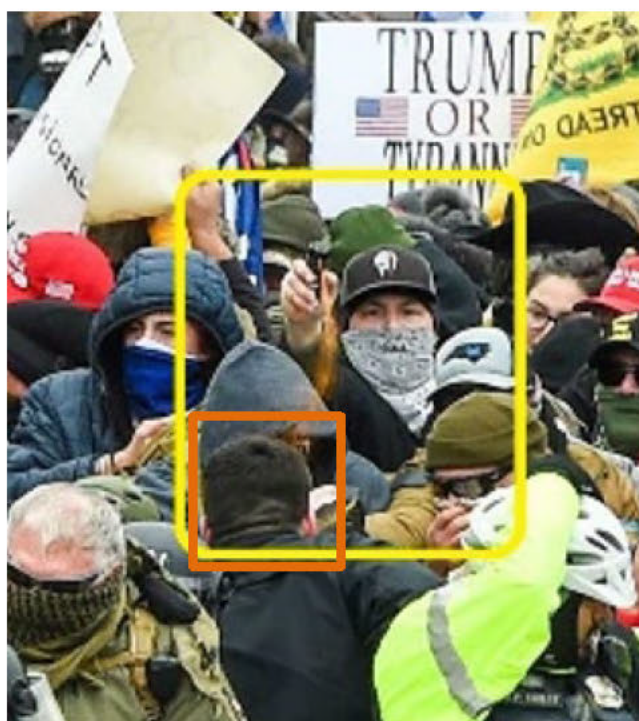
Further investigation revealed that, phone number, [REDACTED], communicated via text with an individual who has been convicted of offenses arising out of his activities in and around the U.S. Capitol on January 6, 2021. In a text message received by that individual, on January 4, 2021 at 08:01:02 AM, DAHLQUIST identified himself as “Frank from Monroe.” DAHLQUIST did, at that time, live in Monroe, Washington. On January 6, 2021, DAHLQUIST texted this individual saying, “It was a great day!! It got spicy but I love the taste of Freedom”. Based on experience and training, your Affiant knows that the term, “spicy”, often refers to the use of pepper spray.

On August 18, 2022, I interviewed two of DAHLQUIST's superiors at the fire station where he worked as a fireman in Issaquah, Washington. Both individuals had worked with DAHLQUIST for multiple years. They were shown a group of images from the riot on January 6th, including many of those above, as well as DAHLQUIST's Washington State driver's license photo and a video clip from the riot. They were able to immediately recognize and identify DAHLQUIST based on his physical and facial features, handkerchief mask, and mannerisms. In regard to the gray handkerchief mask, they specifically recalled that DAHLQUIST would consistently wear that same "buff" (also commonly called a neck gaiter) to work at the fire station as a COVID mask.

One of DAHLQUIST's superiors was able to provide DAHLQUIST's personal cell phone number as [REDACTED]. DAHLQUIST's personal phone number is the same number that pinged in the restricted zone of the Capitol and the same number that sent the texts about things getting "spicy" on January 6th and self-identifying as "Frank from Monroe," as described above.

Facts Specific to the Conduct of DAHLQUIST

During the time DAHLQUIST was on the West Plaza, he was photographed and video-recorded assaulting and attempting to assault police officers. In the picture below, DAHLQUIST (framed in yellow) can be seen wearing a hat with a Spartan helmet logo, black beanie, and black hoodie. At this point, he is wearing a gray handkerchief over the lower half of his face as a mask. The following two images depict DAHLQUIST spraying an orange-colored chemical agent directly into the face of a police officer (back of Officer's head is framed in orange in the expanded version of the yellow-framed inset).



The Officer, pictured more fully in the image below (large yellow oval), has been identified as Officer M.W. of the United States Capitol Police. [REDACTED] was interviewed and positively identified himself as being the officer in the photographs being sprayed and subsequently turning away to seek medical attention.



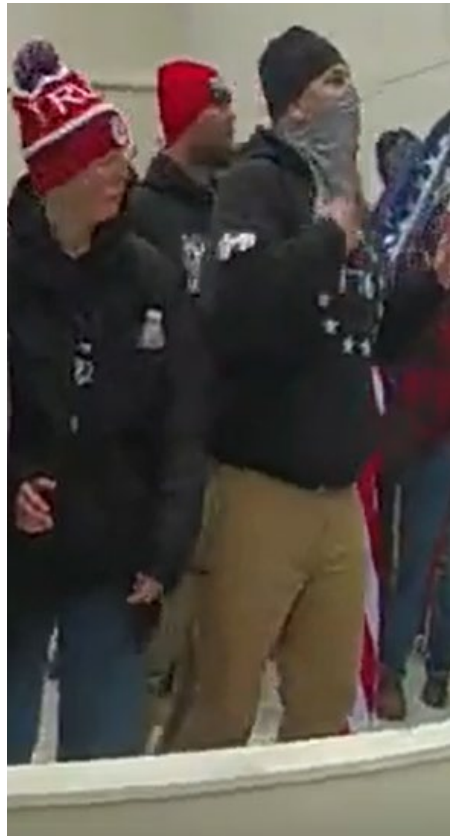
DAHLQUIST was then captured on body-worn camera (BWC) assaulting another officer with chemical spray on the same West Plaza, but at a location closer to the scaffolding seen on the left of the first of the photographs included above. As shown in the image below, BWC recorded DAHLQUIST spraying a chemical agent toward the face of [REDACTED] of the Metropolitan Police Department. (The yellow circle shows DAHLQUIST's hand with his finger on the trigger of the spray cannister.) [REDACTED] was interviewed and confirmed that he was in fact sprayed by the individual whose hand is circled, and that he had to seek medical attention as a result. The video footage was captured by the BWC of [REDACTED] of the Metropolitan Police Department. After the assault, DAHLQUIST can be seen fleeing from [REDACTED]



Prior to the point at which he was sprayed, [REDACTED] BWC also captured a baseball hat (framed in yellow below) falling in front of DAHLQUIST during a struggle involving DAHLQUIST, [REDACTED], and other officers. The hat resembles the one worn by DAHLQUIST during the first assault.

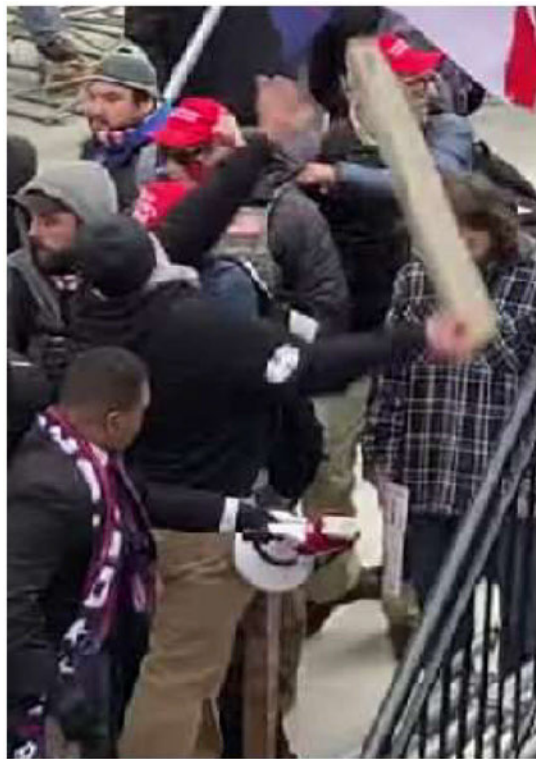
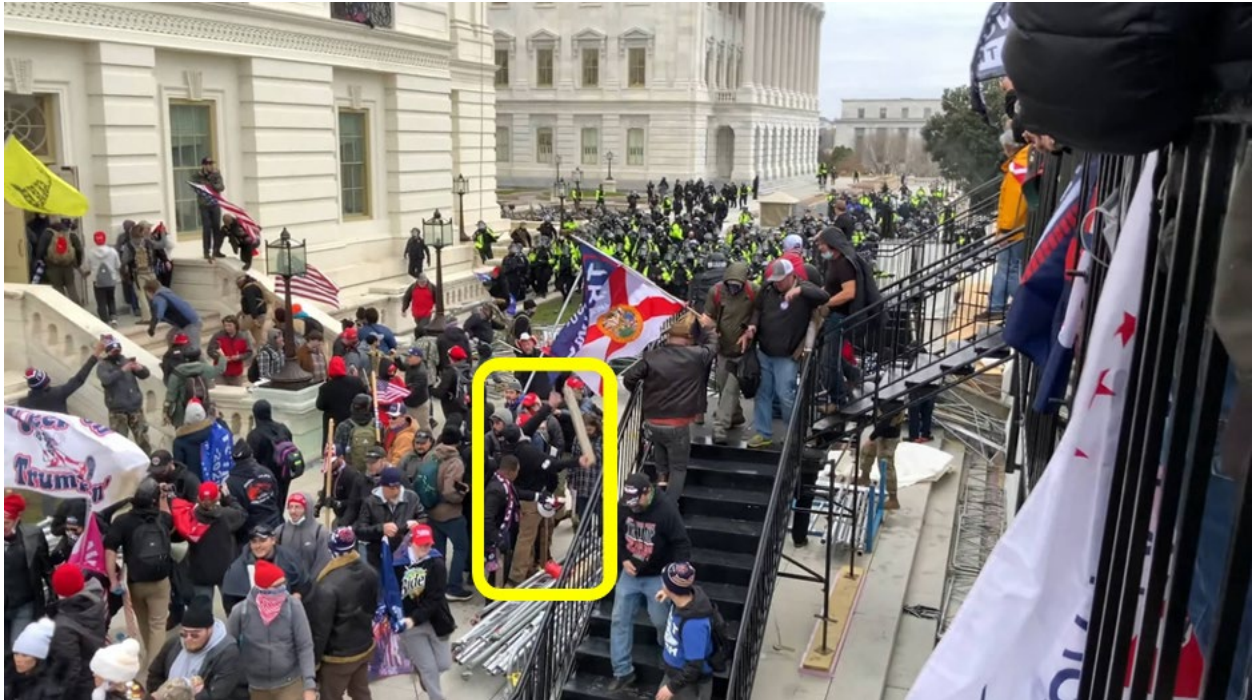


DAHLQUIST was soon thereafter captured on BWC at a different location on the West Plaza of the U.S. Capitol. DAHLQUIST can be seen on the right in each of the two screenshots below wearing a black 1776 hoodie with the unknown white logo on the right sleeve, gray handkerchief, and the black beanie he was previously pictured wearing. He no longer has the baseball hat. In these pictures, it is now possible to see that he is wearing khaki pants.

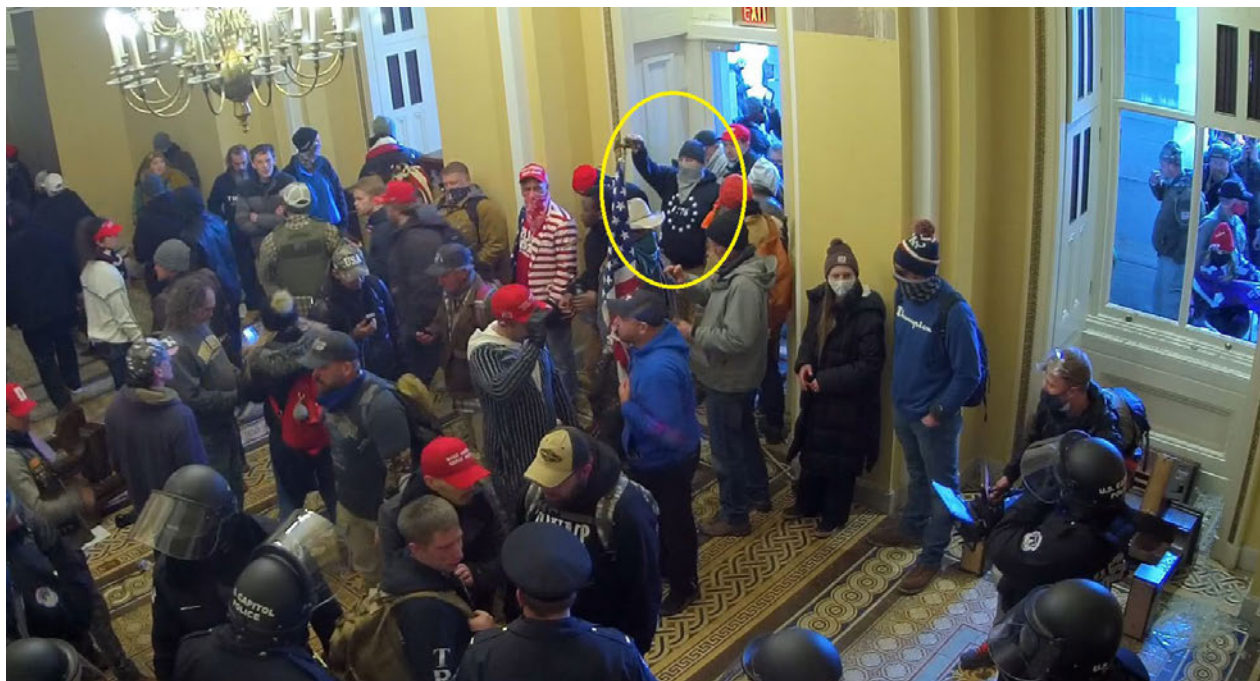


Later, on the Upper West Terrace, DAHLQUIST was captured in a video that was later posted to Youtube. In this video, he throws a piece of lumber over his shoulder, up into the air and towards a group of law enforcement officers. It falls short, however, and does not come close

to hitting them. In the screen capture below, DAHLQUIST (framed in yellow) can be seen wearing the black beanie, black 1776 hoodie with the unknown white logo on the right sleeve, khaki pants, and the gray handkerchief mask.



My investigation has revealed that DAHLQUIST also entered the Capitol building. Internal security cameras captured DAHLQUIST inside the building. He entered the building at 3:06 PM through the Senate Wing Door. DAHLQUIST (framed in yellow) can be seen in the screenshots below near the Senate Wing Door wearing the black beanie, black 1776 hoodie with unknown white logo on the right sleeve, khaki pants, and gray handkerchief. As seen in the screen captures below, he appears to be utilizing a cell phone to record video of his progression through the building. Geolocation data indicates that phone number, [REDACTED], was being used inside the restricted zone of the Capitol at approximately the same time that DAHLQUIST was present.¹



¹ As discussed above, one of DAHLQUIST's supervisors provided this number as DAHLQUIST's cellphone. Phone records indicate that DAHLQUIST was the subscriber for this phone number at the time.

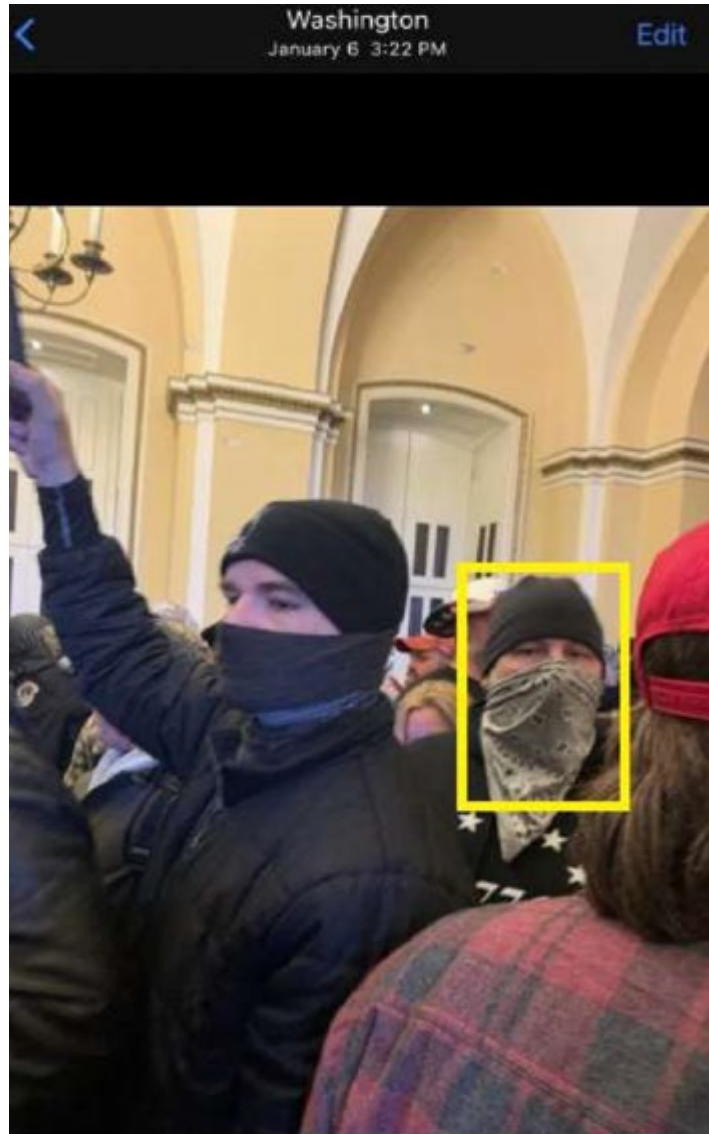


After lingering in the foyer near the Senate Wing Door for some minutes, DAHLQUIST proceeded to the Crypt and walked around, still recording with his phone.

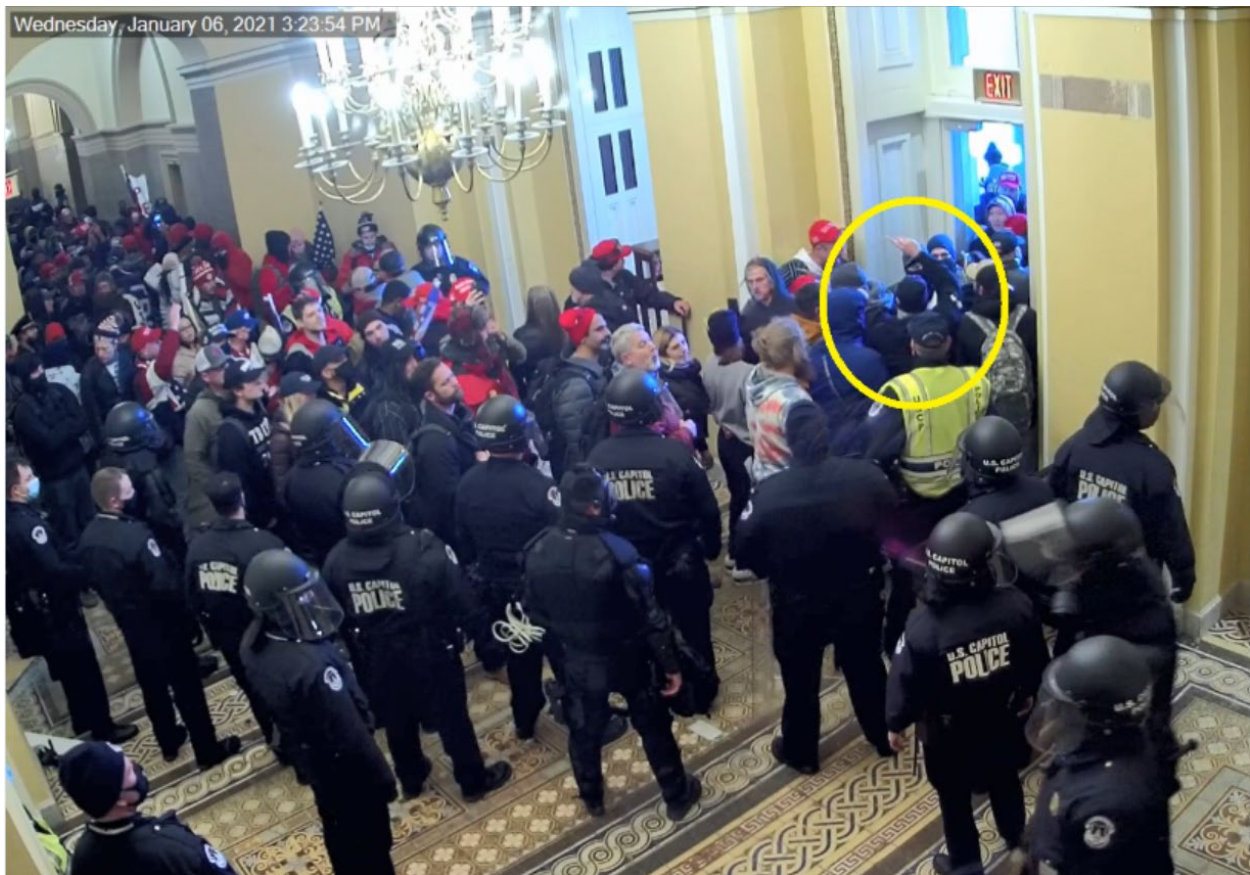




Finally, at 3:24 PM, DAHLQUIST left the building through the Senate Wing Doors. DAHLQUIST was captured in a photo later posted to the social media website, Gab, as he appeared to be leaving the Capitol by the Senate Doors. In the screenshots below, DAHLQUIST can be seen wearing the black beanie, black hoodie with stars in the front and unknown white logo on the right sleeve, khaki pants, and gray handkerchief.







After exiting the United States Capitol building, DAHLQUIST remained on the Upper West Terrace and continued to engage with law enforcement until at least 4:22 PM. In the images below, he can be seen opposing the advance of Metropolitan Police Department and U.S. Capitol police officers.





Conclusion

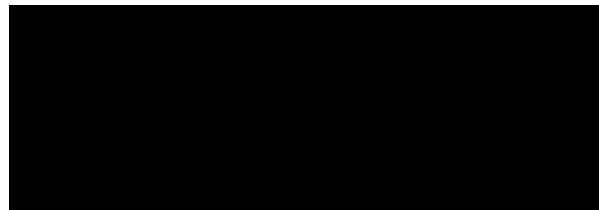
Based on the foregoing, your affiant submits that there is probable cause to believe that DAHLQUIST violated 18 U.S.C. § 1752(a)(1), (2), and (4) which make it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent 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; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempt or conspire 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 DAHQUIST violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of that title while engaged in or on account of the performance of official duties, where such conduct involves physical contact with the victim of that assault or the intent to commit another felony. For purposes of Section 1114 of Title 18, an officer or employee is engaged in or on account of the performance of official duties, or any person assisting such an officer or employee in the performance of such duties or on account of that assistance.

Your affiant also submits there is probable cause to believe that DAHQUIST 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 Secret Service's protection of the Vice President and his family and the Capitol Police's protection of the U.S. Capitol.

Finally, your affiant submits there is also probable cause to believe that DAHLQUIST violated 40 U.S.C. § 5104(e)(2)(D) & (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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 4th day of January, 2024.

ROBIN M MERRIWETHER
U.S. MAGISTRATE JUDGE