

**STATEMENT OF FACTS**

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”) assigned to the Houston Field Office. In my duties as a special agent, I investigate domestic terrorism and related criminal offenses. 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 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 Judy Fraize***

According to records obtained through a search warrant served on Google, a mobile device associated with XXXXXX@gmail.com was present at the U.S. Capitol on January 6, 2021. Records provided by Google revealed that the mobile device associated with XXXXXX@gmail.com belonged to a Google account registered in the name of “Judy Fraize.” The Google account also lists a recovery SMS phone number that matches XXX-XXX-XXXX, which public records show as being associated with JUDY FRAIZE.<sup>1</sup>

On July 6, 2021, special agents with the FBI interviewed FRAIZE at her residence. During the interview, FRAIZE admitted that she entered the U.S. Capitol building on January 6, 2021. FRAIZE told agents that she had travelled from Dallas to Washington, D.C. as part of a convoy to attend a rally for the former President. FRAIZE provided the interviewing agents with a video that she had taken inside of the U.S. Capitol and a picture of herself taken at the rally on January 6, 2021. In the photo from January 6, 2021, FRAIZE is wearing a red “Make America Great Again” baseball-style hat, a blue sweater, and a tan jacket.

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<sup>1</sup> The unredacted phone number and email address associated with FRAIZE are known to your affiant.



*Figure 1: Picture of FRAIZE that she gave to agents during the July 2021 interview*

Following the interview, agents investigating FRAIZE's conduct on January 6, 2021, positively identified FRAIZE in multiple videos from U.S. Capitol closed-circuit television ("Capitol CCTV") and Washington, D.C. Metropolitan Police Department ("MPD") body-worn cameras ("BWC").

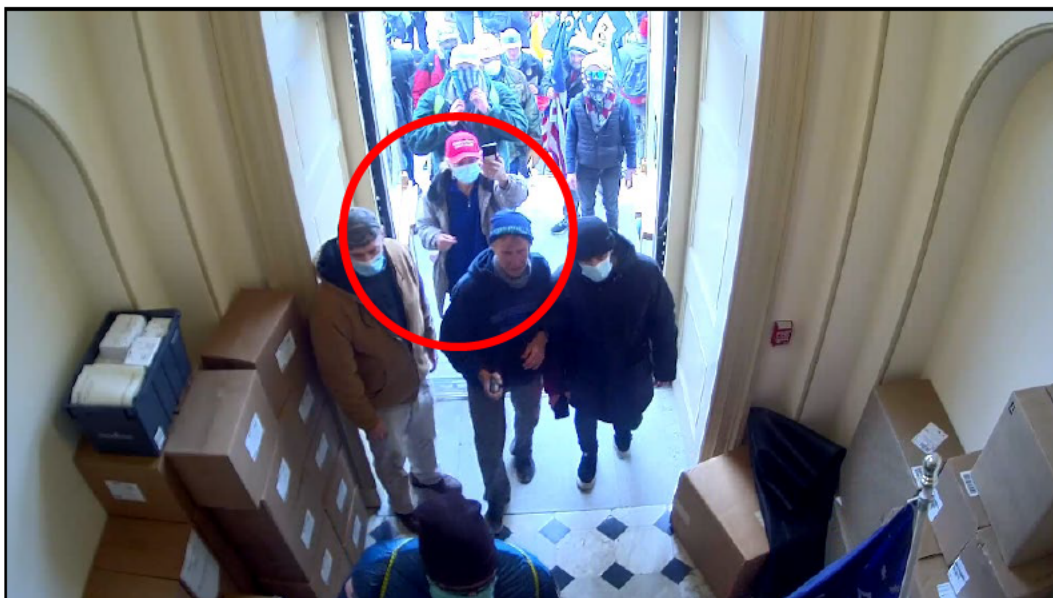
### ***Judy Fraize's Conduct on January 6, 2021***

At approximately 2:33:32 p.m., FRAIZE is seen on Capitol CCTV walking up a set of stairs on the northwest side of the U.S. Capitol. As shown in the figure below, FRAIZE is in a large group of rioters who are moving up the stairs in the direction of the Upper West Terrace.



*Figure 2: FRAIZE going up the northwest stairs*

At approximately 2:39:08 p.m., as shown in the figure below, a Capitol CCTV camera captured FRAIZE entering the U.S. Capitol through the Upper West Terrace door. FRAIZE entered the U.S. Capitol approximately five minutes after other rioters had breached the Upper West Terrace Door. When she entered the U.S. Capitol building, FRAIZE was holding up a cell phone and appeared to be taking pictures or recording video.



*Figure 3: FRAIZE entering the U.S. Capitol*

Once inside, FRAIZE is seen on Capitol CCTV at approximately 2:39:27 p.m. walking up a flight of stairs that are next to the Upper West Terrace door foyer. Those stairs lead to the second floor of the U.S. Capitol, specifically, to the area west of the Rotunda.



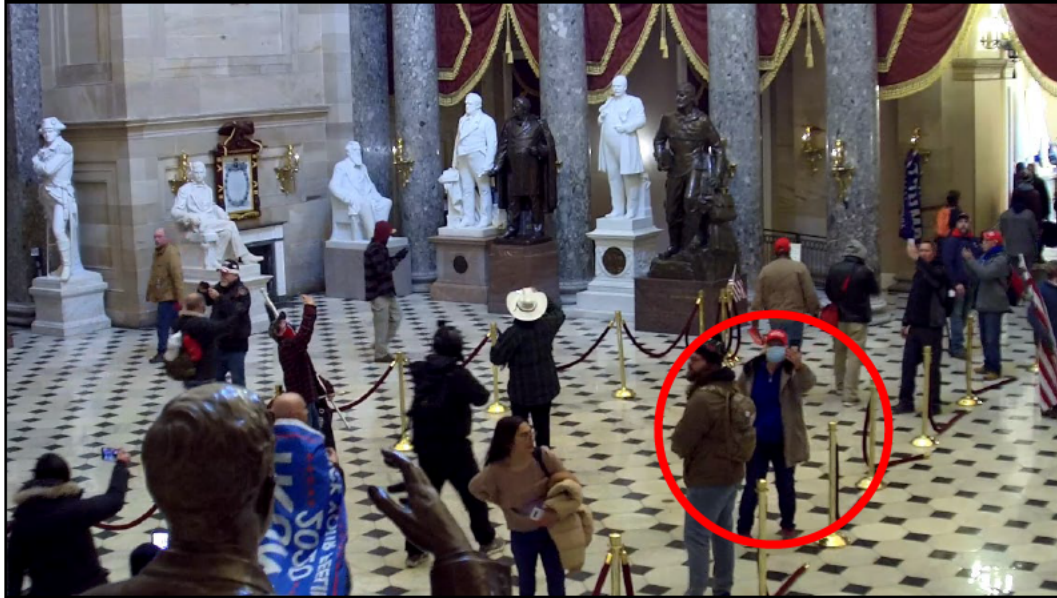
*Figure 4: FRAIZE walking up stairs to the second floor of the U.S. Capitol*

At approximately 2:40:02 p.m., FRAIZE is seen on Capitol CCTV entering the Rotunda. FRAIZE walks from the west entrance of the Rotunda toward the east side of the Rotunda, then to a doorway that leads toward Statuary Hall. During this time, there was a large group of rioters unlawfully inside of the Rotunda.



*Figure 5: FRAIZE entering the Rotunda*

At approximately 2:41:33 p.m., FRAIZE joined a large group of rioters who went toward Statuary Hall from the Rotunda and moved in the direction of the House Chamber. Capitol CCTV captured FRAIZE entering Statuary Hall at approximately 2:42:03 p.m. At approximately 2:42:34 p.m., FRAIZE walked into a hallway that connects Statuary Hall with the area just outside of the House Chamber.



*Figure 6: FRAIZE in Statuary Hall*

As shown in the Capitol CCTV screenshot below from approximately 2:43:25 p.m., FRAIZE joined a group of rioters crowding outside of the doors to the House Chamber. As she moved closer to the door of the House Chamber, FRAIZE went out of view of the Capitol CCTV camera.



*Figure 7: FRAIZE in a crowd of rioters near the House Chamber doors*

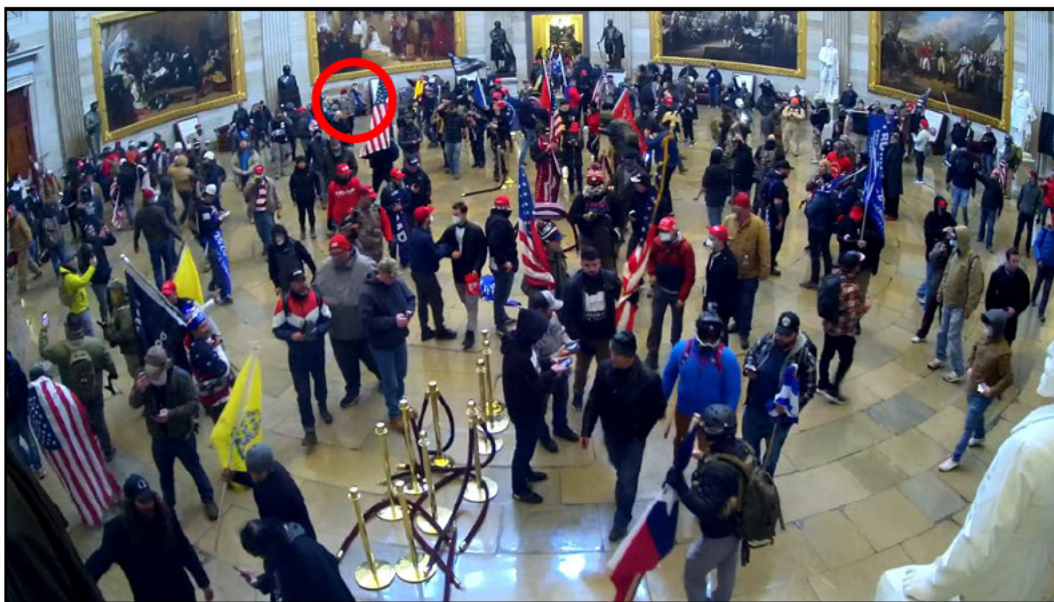
At approximately 2:45:35 p.m., FRAIZE reentered the view of the Capitol CCTV camera as she moved with a group of rioters from the area near the doors to the House Chamber in the direction of Statuary Hall. At approximately 2:45:55 p.m., FRAIZE again entered Statuary Hall and moved toward the Rotunda.



*Figure 8: FRAIZE reentering Statuary Hall and walking toward the Rotunda*

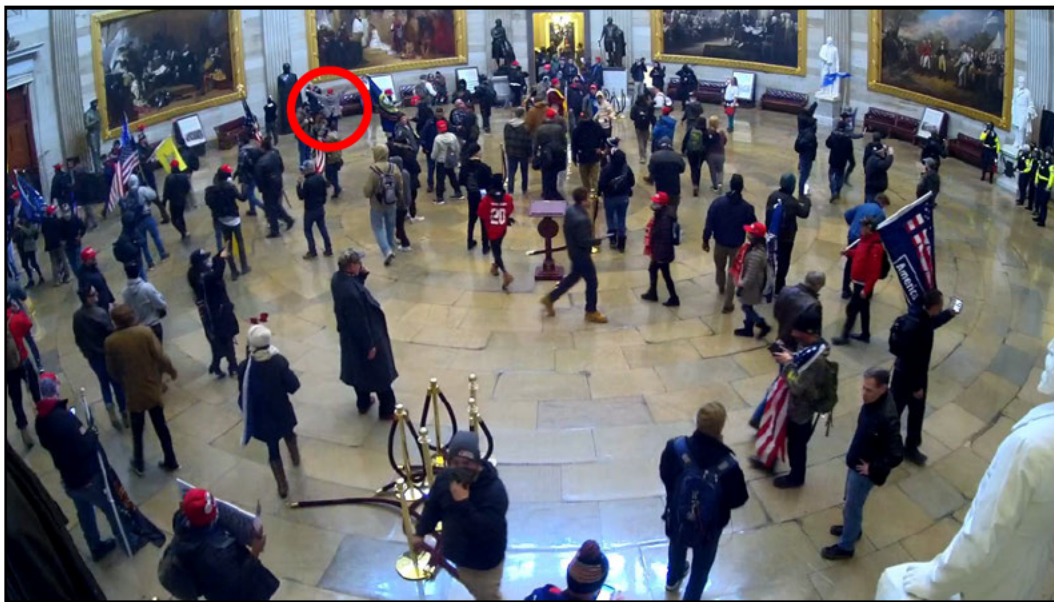
At approximately 2:47:10 p.m., FRAIZE is seen on Capitol CCTV reentering the Rotunda. After entering the Rotunda, FRAIZE sat on a bench on the southeast side of the Rotunda, as shown in the screenshot of Capitol CCTV below. At approximately 2:48:28 p.m., FRAIZE rose from the

bench and walked around the Rotunda, holding up a phone and appearing to record video or take pictures.



*Figure 9: FRAIZE reenters the Rotunda*

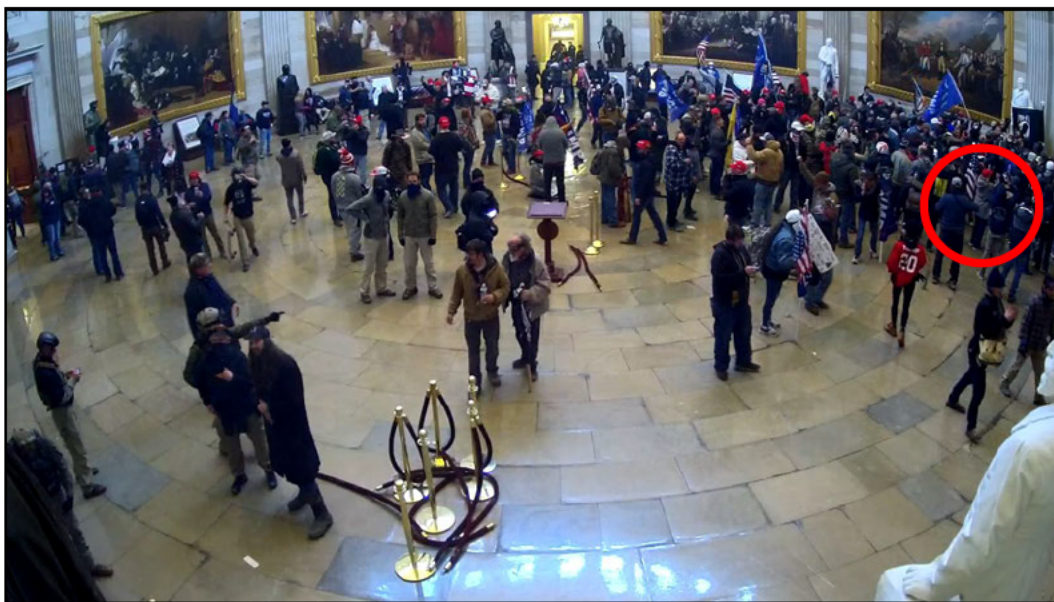
Also during this time, as shown in the Capitol CCTV screenshot below, FRAIZE appeared to interact with other rioters and pose for pictures. At approximately 2:56:34 p.m., FRAIZE began walking from the southeast side to the north side of the Rotunda.



*Figure 10: FRAIZE appearing to pose for a photo in the Rotunda*



At approximately 2:57:55 p.m., FRAIZE is seen walking toward the west side of the Rotunda as a large group of rioters were congregating in that area.



*Figure 11: FRAIZE joining the crowd of rioters on the west side of the Rotunda*

At approximately 3:02:38 p.m., police officers began entering the Rotunda from the south and west doorways and attempted to clear rioters out of the Rotunda. Shortly thereafter, at approximately 3:03:32 p.m., FRAIZE walked over to the northwest side of the Rotunda, as shown in the screenshot of Capitol CCTV below.



*Figure 12: FRAIZE as police enter the Rotunda*

FRAIZE walked toward the northwest wall of the Rotunda, going out of view of the Capitol CCTV camera at approximately 3:05:17 p.m. At approximately 3:07:32 p.m., FRAIZE is seen on the BWC of MPD Officer 1, as shown in the screenshot below. When she first becomes visible on Officer 1's BWC, FRAIZE is sitting on a bench on the northwest wall of the Rotunda. At this time, officers had entered the Rotunda and were instructing rioters to exit using a doorway on the east side.



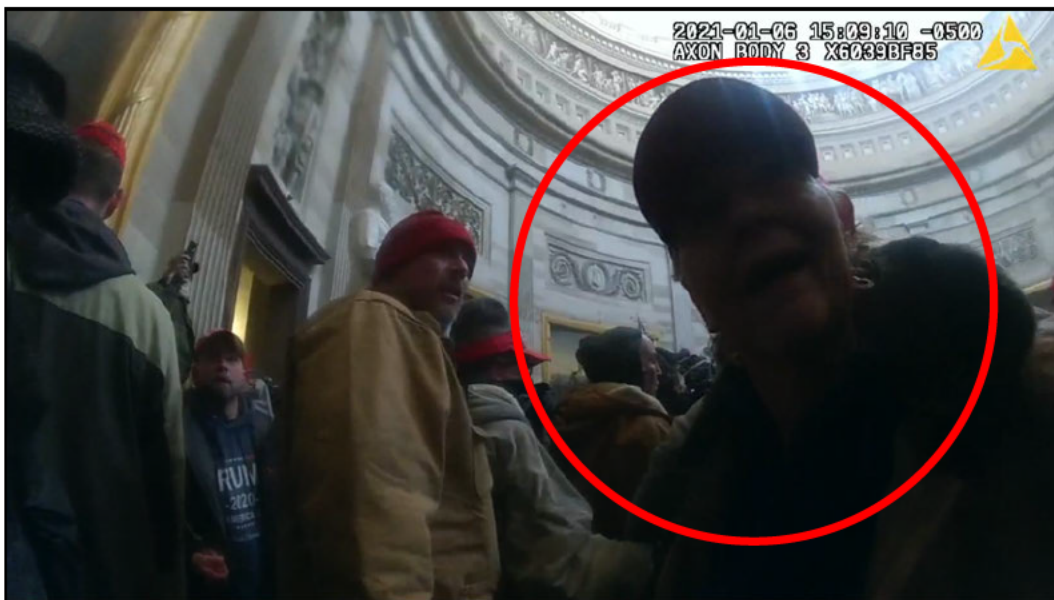
*Figure 13: Officer 1's BWC showing FRAIZE sitting on a bench in the Rotunda*

At approximately 3:08:16 p.m., Officer 1 told FRAIZE and other rioters sitting on the bench that they needed to leave. FRAIZE acknowledged Officer 1 and appeared to say "blue lives matter," but did not immediately stand up.



*Figure 14: FRAIZE on the bench interacting with Officer 1*

After Officer 1 repeatedly told the rioters on the bench to exit, FRAIZE stood up at approximately 3:08:58 p.m. and began to walk toward the east side of the Rotunda. At approximately 3:09:10 p.m., FRAIZE turned toward Officer 1 and says “we gotta take our country back.” FRAIZE then continued walking toward the east side of the Rotunda, and was no longer visible on Officer 1’s BWC at approximately 3:09:51 p.m.



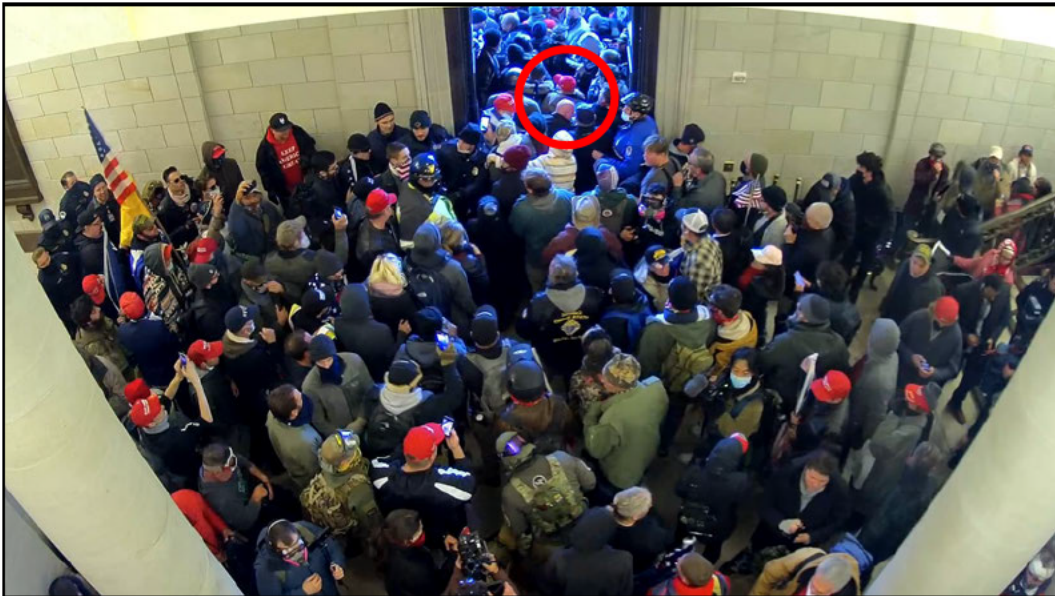
*Figure 15: FRAIZE saying “we gotta take our country back”*

At approximately 3:15:47 p.m., FRAIZE is seen on Capitol CCTV entering the East Foyer with a large group of rioters who police have directed out of the Rotunda.



*Figure 16: FRAIZE entering the East Foyer*

At approximately 3:16:25 p.m., FRAIZE exited from the U.S. Capitol through the Rotunda Doors, as shown in the Capitol CCTV screenshot below. In total, FRAIZE was inside of the U.S. Capitol building for approximately thirty-seven minutes.

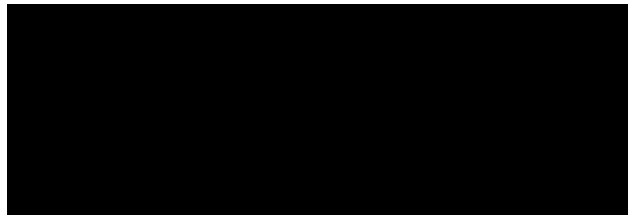


*Figure 17: FRAIZE exiting the U.S. Capitol building through the Rotunda Doors*

*Offenses Committed by Judy Fraize*

Based on the foregoing, your affiant submits that there is probable cause to believe that JUDY FRAIZE 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 so; 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.

Your affiant submits there is also probable cause to believe that JUDY FRAIZE 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.



Special Agent  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 29th day of January 2024.

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HONORABLE G. MICHAEL HARVEY  
U.S. MAGISTRATE JUDGE