

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation. I have been so employed since 2019. Before becoming a special agent, I completed FBI training at the FBI Academy in Quantico, Virginia. I am currently assigned to the Brevard Resident Agency of the FBI's Tampa Division, where I am responsible for conducting various types of investigations, including counterterrorism and other national security investigations. As a special agent, I have received official training and gained experience on how to conduct investigations, collect evidence, execute search warrants, conduct interviews, and make arrests. In addition, I am authorized to investigate violations of laws of the United States and execute warrants issued under the authority of the United States. In addition to my regular duties, I am currently also tasked with investigation of criminal activity that occurred in and around the Capitol grounds on January 6, 2021. In my duties as a Special Agent, I am authorized by law or by the FBI 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.

Since January 6, 2021, the FBI has continued to investigate the identities of those individuals who committed offenses in connection with the siege of the U.S. Capitol. The FBI has identified one such individual as ROBERT STEVEN DOWELL, a resident of Palm Bay, Florida.

Investigators in this matter have reviewed opensource videos, closed circuit television (CCTV) surveillance from the United States Capitol on January 6, 2021, and Body Worn Camera footage from law enforcement officers who were present on the scene. In reviewing this footage, investigators observed a male that they believed to be ROBERT STEVEN DOWELL. The footage, which I have reviewed, showed the following.

On January 6, 2021, DOWELL wore a black jacket with a tan baseball hat. He carried a red backpack on his back.



Fig. 1 – A still photograph taken from body worn camera footage of DOWELL (circled in yellow) inside the Capitol Building on January 6, 2021, wearing a black jacket, tan hat, and red backpack.

At approximately 2:25 p.m. DOWELL entered the Capitol Building through the Senate Wing Doors on the West side of the building. At the time that DOWELL entered amongst a large crowd of rioters, there were large groups of people entering through broken windows on the either side of the Senate Wing Doors.



Fig. 2 – A still photograph taken from CCTV footage of DOWELL wearing a tan baseball cap and black jacket entering through the Senate Wing Doors at approximately 2:25 p.m.



Fig. 3 – A still photograph taken from CCTV footage showing DOWELL'S red backpack as he entered through the Senate Wing Doors at approximately 2:25 p.m.

After entering the building, DOWELL walked through the Crypt where he joined a large crowd of people ascending a staircase.

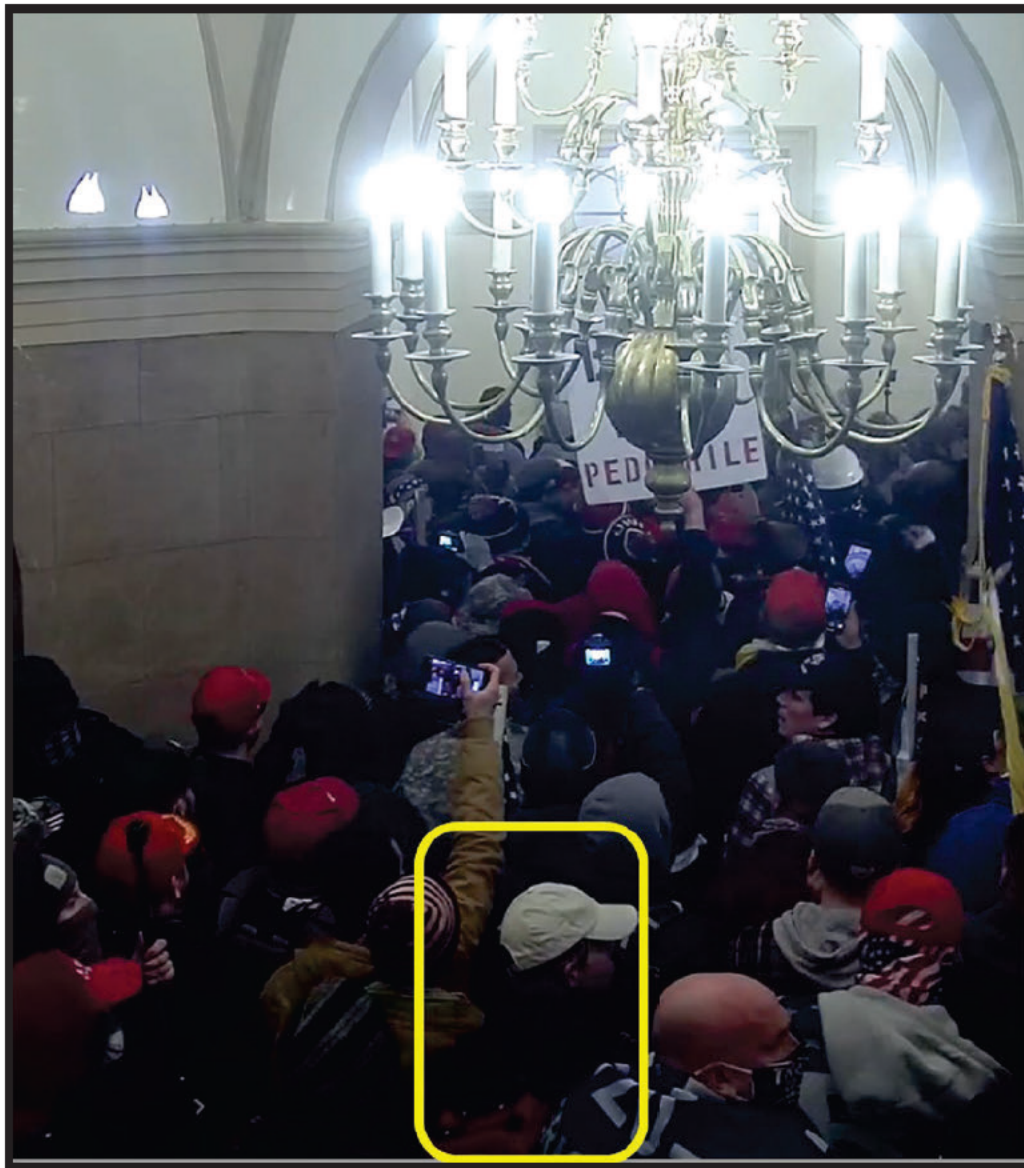


Fig. 4 – A still photo taken from CCTV showing DOWELL in a crowd just before walking up a staircase.

Members of this crowd were dressed in tactical gear such as helmets, goggles, and facemasks. Some in the crowd also carried flags/flagpoles, and signs with slogans such as “Save the Republic,” and “Stop the Steal” printed on them. As the crowd marched, they chanted multiple things in unison, including “Stop the Steal,” “USA” and “Our House.”

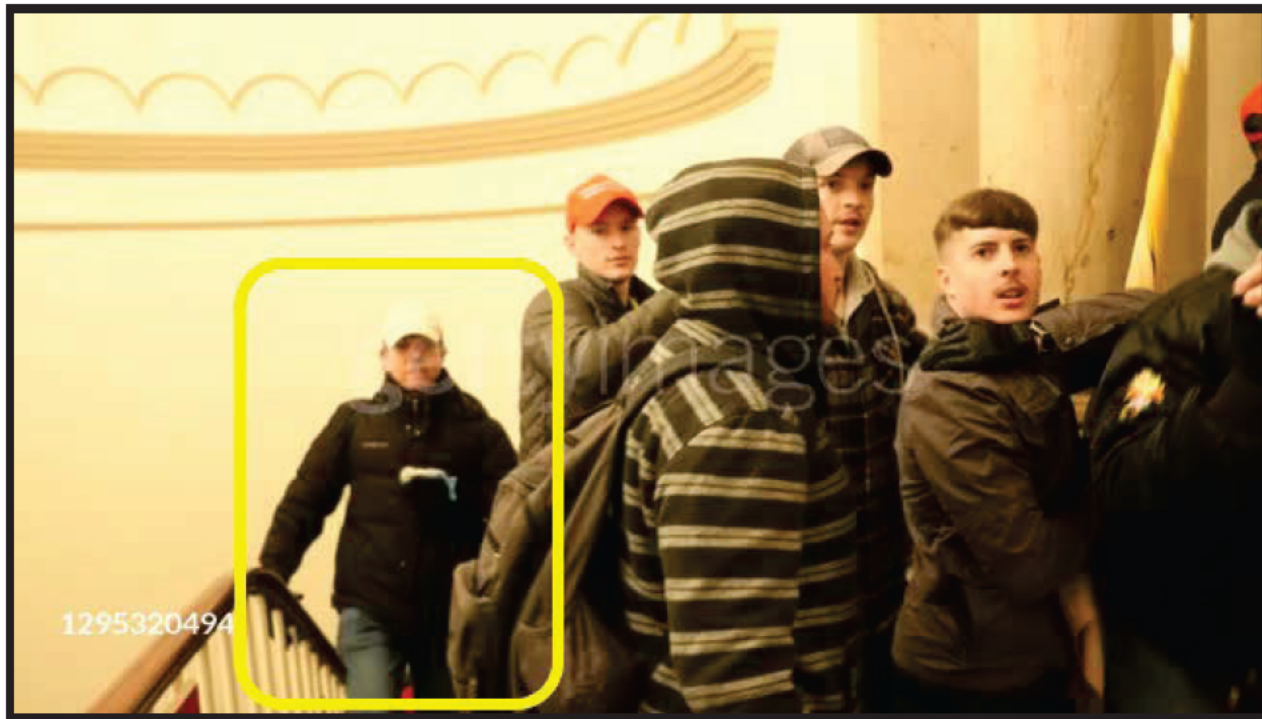


Fig. 5 – A still photo taken from opensource video of DOWELL walking up the staircase. DOWELL appears to chant the words “Our House” with the crowd as he walks.

From the staircase, DOWELL walked through Statuary Hall toward the House Chamber. In the hallway between Statuary Hall and the House Corridor, a group of U.S. Capitol Police officers were attempting to stop the crowd from proceeding toward the House. DOWELL joined the mob of rioters, which eventually pushed past the line of officers and marched toward the House Chamber.



Fig. 6 - A photograph of the mob of people between Statuary Hall and the House Corridor as U.S. Capitol Police attempt to stop them from moving forward. DOWELL is circled in yellow.

At approximately 2:40 p.m., after bypassing the police line, DOWELL walked toward the House Chamber and the Speaker's Lobby.



Fig. 7 – A still photo from CCTV of DOWELL walking through the House Corridor toward the Speaker’s Lobby.

At approximately 2:44 p.m. a rioter who was attempting to climb through the window of the barricaded Speaker’s Lobby was shot. This caused a large number of law enforcement officers to respond to the area to attempt to control the crowd and to expel rioters, including DOWELL, from that area of the building.



Fig. 8 – A still photo from CCTV of DOWELL near the Upper House Doors after being ordered to leave the building at approximately 2:54 p.m.

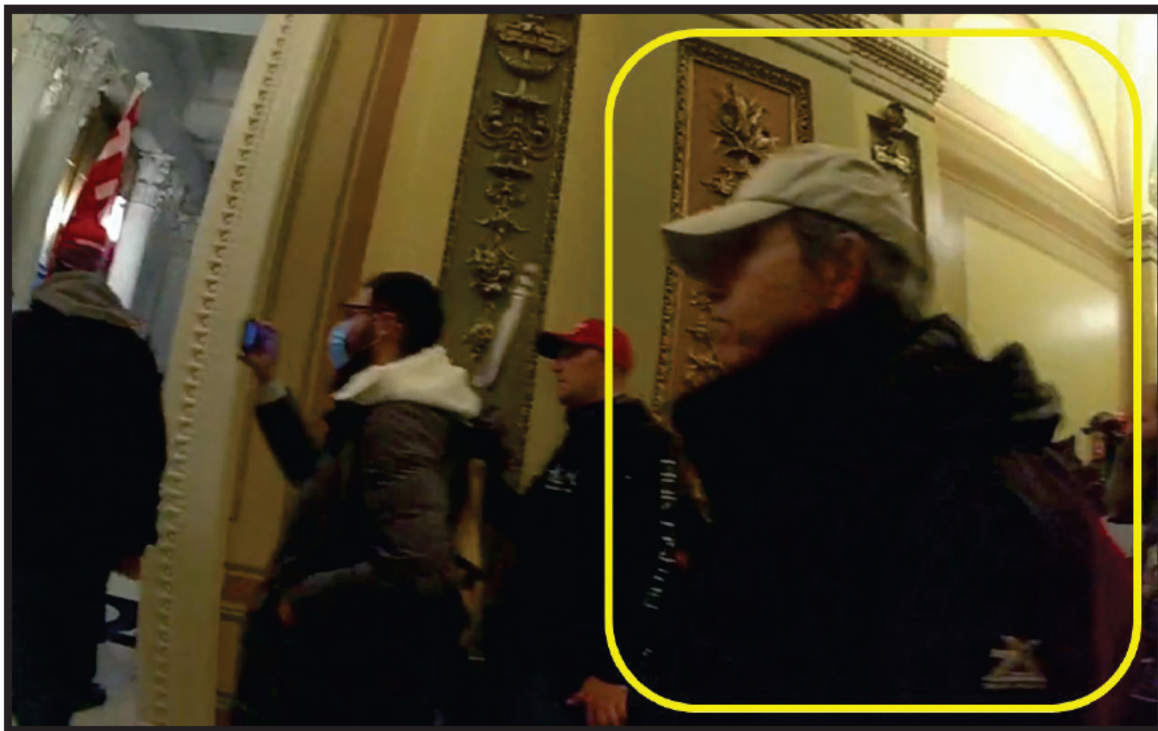


Fig. 9 – Also depicted in Fig. 1 above, a still photo of DOWELL from body worn camera as he and other rioters are ordered to leave the building at approximately 2:54 p.m.

DOWELL exited the Capitol Building through the Upper House Doors on the East side of the building. DOWELL then proceeded to the Rotunda Doors where he waited just outside the building amongst a large group of rioters in what appears to be an attempt to re-enter a second time. As DOWELL waited in this area, rioters were simultaneously exiting the building. Many of these rioters were wearing tactical gear such as helmets, goggles, and masks. Several people were pouring water over their eyes and appeared to be recovering from the effects of OC spray.



Fig. 10 – A still photo from opensource video of DOWELL waiting outside of the Rotunda Doors after being directed to leave the the Capitol by law enforcement.

Shortly after 3:20 p.m. the group depicted in Fig. 10, above, attempted to push its way into the Capitol Building. Around the same time, there was a large effort by law enforcement to clear the Rotunda and expel the crowds out through the same Rotunda Doors. DOWELL moved as though he was attempting to enter, but due to the large number of people exiting, it appears he was physically unable to move forward and eventually turned around and walked out of the doorway.

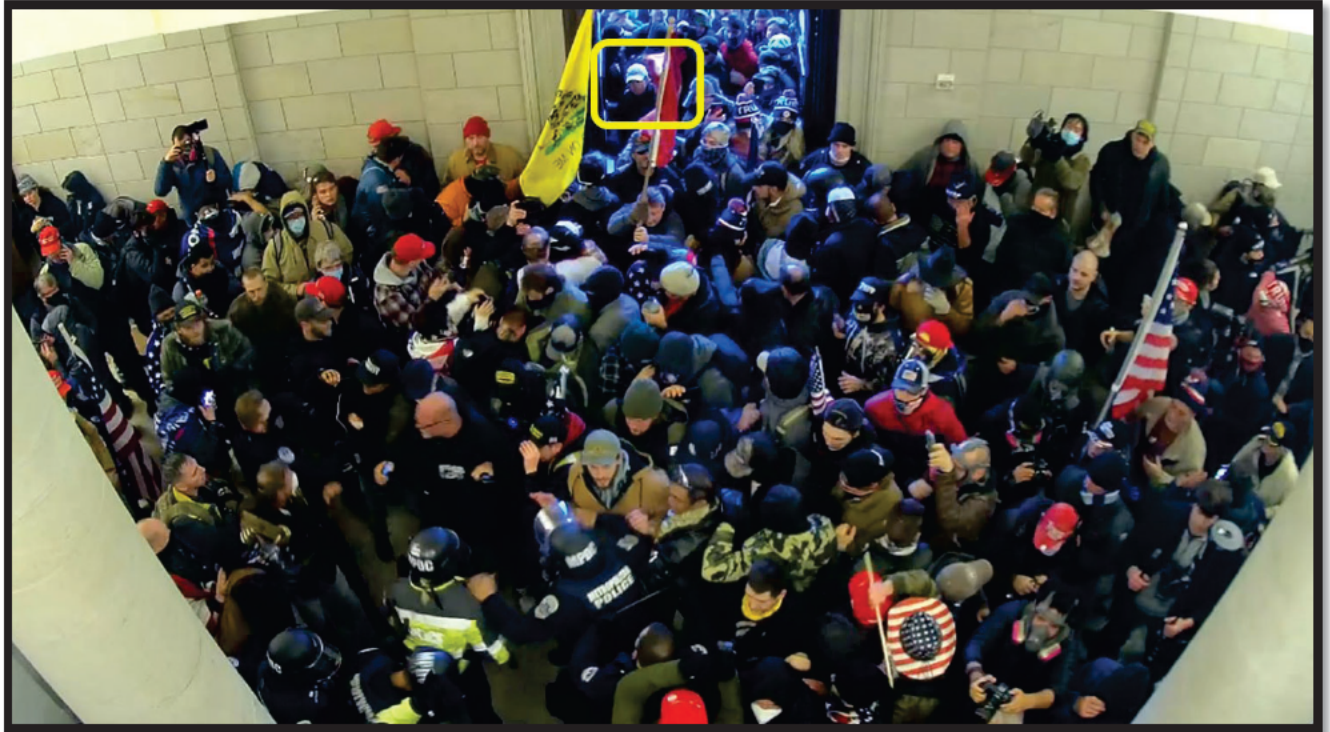


Fig. 11 – A still photo from CCTV video of DOWELL attempting to enter the Capitol Building for the second time through the Rotunda Doors shortly after 3:20 p.m.

Investigators spoke to a witness who knows DOWELL. The witness was personally acquainted with DOWELL and had previous face-to-face interactions with DOWELL. The witness was shown photographs of DOWELL from January 6, 2021, including Figs. 5, 6, and 10. The witness identified the person in the photos as the defendant, ROBERT STEVEN DOWELL.

In addition, investigators identified a phone number connected to DOWELL serviced by cellular service provider AT&T ending in -8942. Records from AT&T show that phone number -8942 is registered to an “S Dowell,” which is consistent with the defendant’s middle initial and his last name. The phone number is registered to DOWELL’S residential address. Phone records from AT&T show that from January 1-4, 2021, the phone number ending in -8942 made multiple phone calls to a company called Spot Hero. Spot Hero is a company which allows users to reserve parking spots in various locations around the country.


Records and audio recordings from Spot Hero show that the phone number associated with DOWELL (-8942) reserved a parking spot in Washington DC from January 5, 2021 at 7:00 a.m. through January 6, 2021 at 7:00 p.m.

Investigators met with DOWELL in person at his residence. Based on in person interactions with DOWELL, and after reviewing images taken on January 6, 2021, investigators were able to positively identify DOWELL as the person in the photographs.

Based on the foregoing, your affiant submits that there is probable cause to believe that ROBERT DOWELL 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.

Your affiant submits there is also probable cause to believe that ROBERT DOWELL 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.


Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 10 day of April 2024.

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE