

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent for the Federal Bureau of Investigation (“FBI”), based out of the Birmingham Field Office. I have been employed as a Special Agent since April 2021. I currently serve as a member of the Domestic Terrorism Squad, which investigates violent crimes and terroristic threats in the Northern District of Alabama. I have received training in counterterrorism, physical surveillance, confidential source management, electronic surveillance techniques, and other matters. I have conducted and/or participated in counterterrorism investigations and investigations regarding firearms, violent extremists, and organized criminal activity. Prior to joining the FBI, I was employed for more than twelve years as a law enforcement officer in the state of Virginia, where I conducted investigations and obtained and executed both search and arrest warrants and have received advanced training regarding obtaining search and arrest warrants related to major cases.

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.

Background: Events at the U.S. Capitol on January 6, 2021

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

Your affiant, Matthew Spiker, is a Special Agent for the Federal Bureau of Investigation (“FBI”), based out of the Birmingham Field Office. I have been employed as a Special Agent since April 2021. I currently serve as a member of the Domestic Terrorism Squad, which investigates violent crimes and terroristic threats in the Northern District of Alabama. I have received training in counterterrorism, physical surveillance, confidential source management, electronic surveillance techniques, and other matters. I have conducted and/or participated in counterterrorism investigations and investigations regarding firearms, violent extremists, and organized criminal activity. Prior to joining the FBI, I was employed for more than twelve years as a law enforcement officer in the state of Virginia, where I conducted investigations and obtained and executed both search and arrest warrants and have received advanced training regarding obtaining search and arrest warrants related to major cases.

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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 Darrell GOINS

On or around July 24, 2022, the FBI received a tip identifying Darrell Wayne Goins (“GOINS”) in images and videos taken inside the Capitol building and on Capitol grounds on January 6, 2021. Following receipt of this tip, I obtained GOINS’s driver’s license photograph from the Alabama Communications and Operations Portal (“AlaCOP”) Law Enforcement Tactical System (“LETS”).

On or around December 13, 2022, I reviewed closed circuit television (“CCTV”) footage taken from inside the Capitol and identified a person matching GOINS’s appearance in his driver’s license photograph entering and remaining in the Capitol building on January 6, 2021. In the CCTV footage I reviewed, GOINS is pictured wearing khaki pants and a black hooded jacket. At various times throughout his time in and around the Capitol, GOINS can sometimes be seen wearing a lime green neck gaiter, a black beanie, and/or a red, white, and blue baseball cap with “USA” on the front.

On December 14, 2023, your affiant interviewed a former coworker of GOINS. This former coworker identified GOINS in a still from a video depicting GOINS inside the U.S. Capitol Building on January 6, 2021. This still is shown below as Image 2.

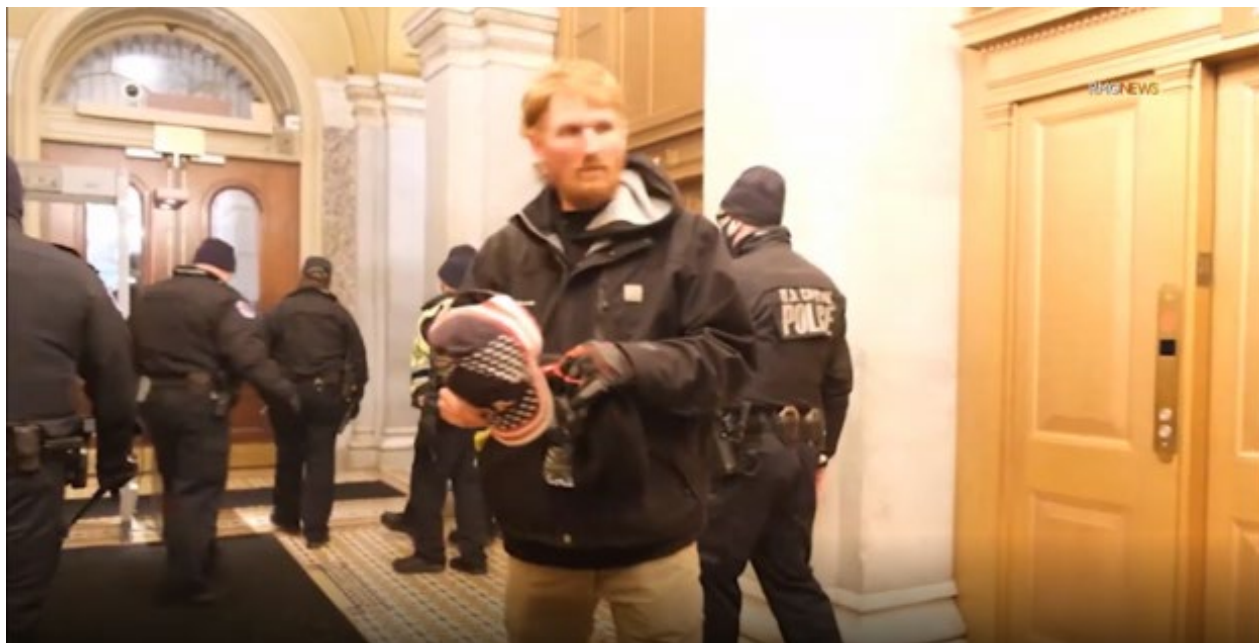


Image 1: Still from open-source video, shown to GOINS's former coworker

GOINS's Activities at the U.S. Capitol

On January 6, 2021, GOINS was part of the crowd gathered on the Capitol's West Plaza. Public video shows GOINS at the very front of the crowd, standing directly in front of the line of the U.S. Capitol Police ("USCP") officers that had formed to protect the Capitol. While there, open-source video depicts GOINS raising his fist in the air and cheering to the crowd of rioters.



Images 2.1, 2.2, & 2.3: Stills from open-source video, with GOINS circled in red

At approximately 1:50 p.m., rioters began to breach the police line protecting a staircase located at the north end of the West Plaza. GOINS proceeded to join the crowd in pushing forward up the stairs. Before entering the stairway—which was covered with the scaffolding at the time—video shows GOINS throw what appears to be a full, approximately 20-ounce plastic soft-drink bottle in the direction of USCP Officer B.W., who was standing at the base of the stairs.



Image 3: Still from open-source video, with GOINS circled in red and Officer B.W. circled in yellow

Based on your affiant's review of this footage, the bottle thrown by GOINS appears to have narrowly missed making contact with Officer B.W.'s head.



Image 4: Still from open-source video, with GOINS circled in red and the bottle thrown by GOINS circled in yellow

After throwing the bottle at Officer B.W., GOINS moved with the crowd up the northwest stairs. GOINS worked his way to the front of the crowd, which had been stopped at a partway up the stairs, where a temporary construction-style doorway partially blocked the path. Videos show several USCP officers standing on the other side of the doorway and attempting to prevent the crowd from advancing any further toward the Capitol.

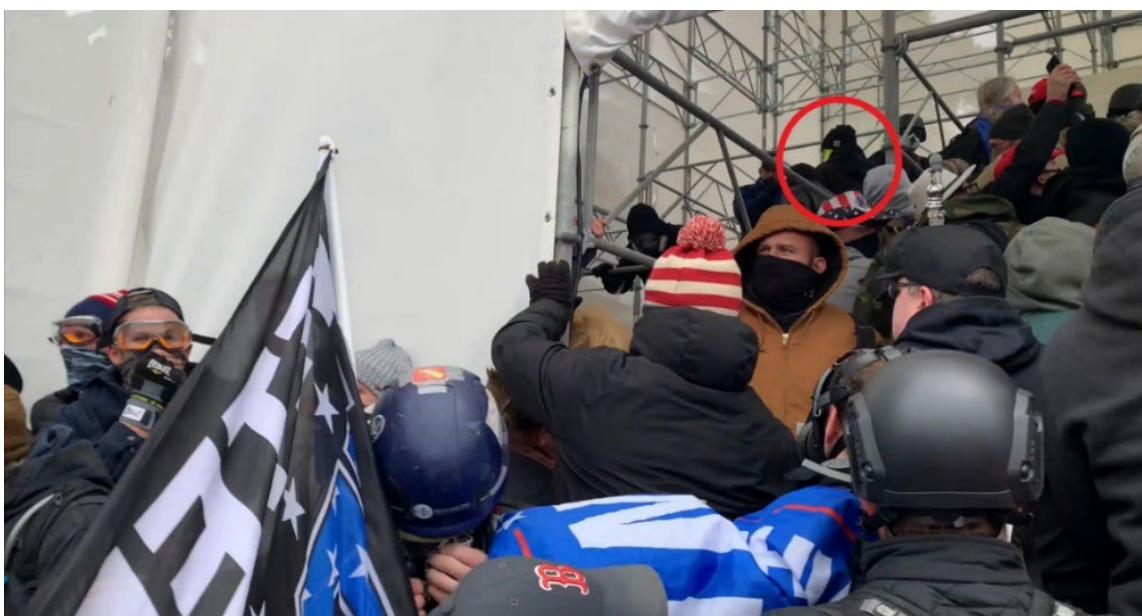
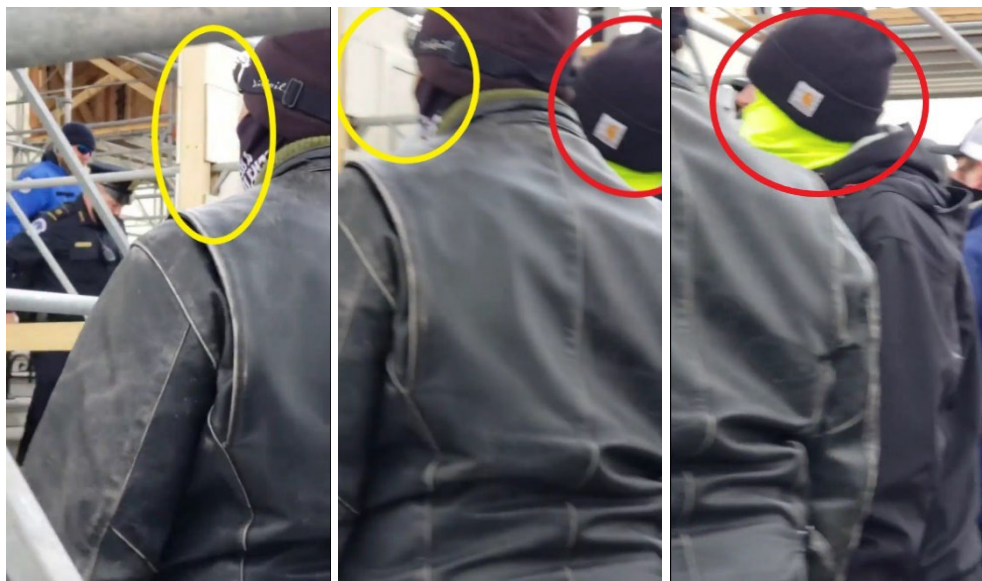


Image 5: Still from open-source video, with GOINS circled in red

GOINS eventually advanced further up the stairs past the doorway. Your affiant spoke with several of the USCP officers present in this area, who explained that some rioters made their way around the temporary doorway by climbing through the scaffolding to the left of the temporary doorway. Based on my review of video, this is consistent with GOINS's path from standing just behind the scaffolding to the left of the door to his later position behind the doorway.



Images 6.1, 6.2, & 6.3: Stills from one open-source video, with GOINS circled in red and the northwest stairs doorway circled in yellow

This is also consistent with videos I reviewed, in which USCP officers standing behind the doorway point in the direction of the scaffolding to the left of the doorway just before rioters—including GOINS—appear behind the police line.



Image 7: Still from open-source video

Videos show that, after making his way up the stairs beyond the temporary doorway, GOINS physically engaged with several USCP officers while attempting to break through their lines. One video captures approximately one second of this interaction. In the video, GOINS can be seen at the top of the stairs with at least three officers working to prevent him from advancing any further. During the course of my investigation, I identified USCP Special Agent M.F. as one of the officers engaging with Goins. I reviewed this video with Special Agent M.F., who recalled Goins actively rushing at the police line in an apparent attempt to get past law enforcement and gain access to the U.S. Capitol.

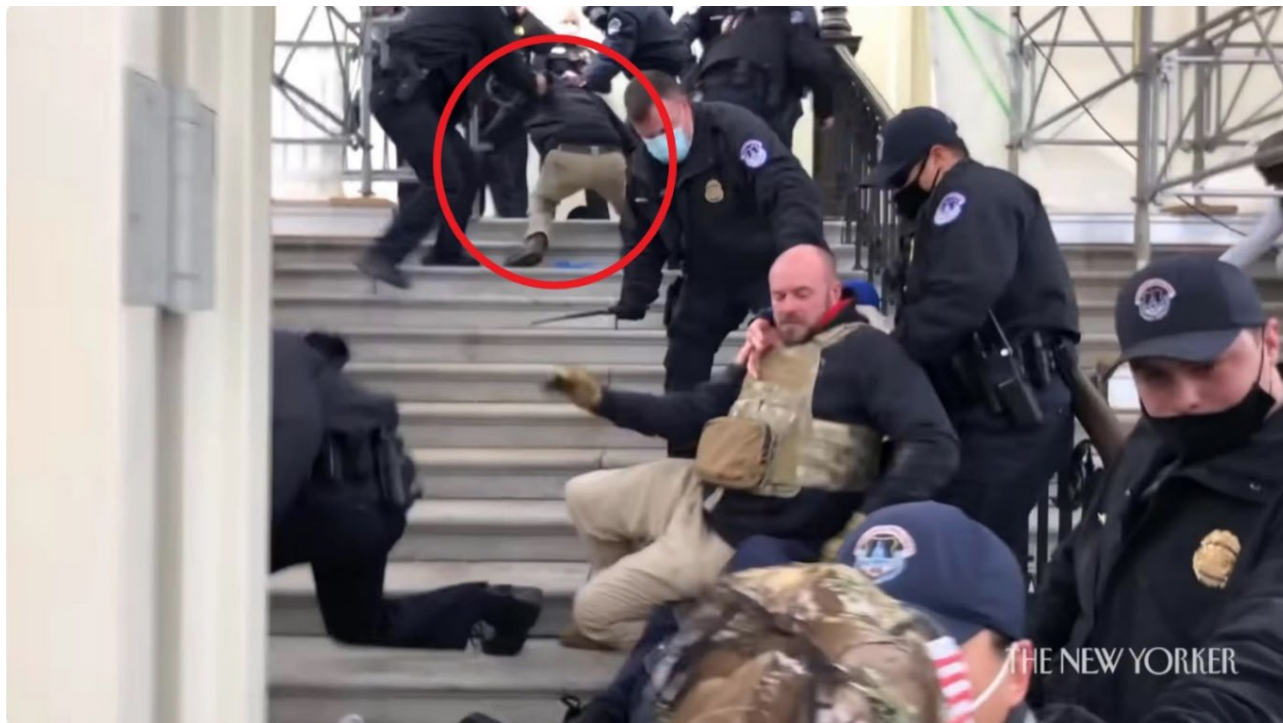


Image 8: Still from open-source video, with GOINS circled in red

During this interaction, GOINS made it to the top landing of the stairway the police were protecting. Eventually, however, USCP officers, including Special Agent M.F., were able to wrestle him to the ground and bring GOINS to a seated position on the stairs.



Image 9: Still from open-source video, with GOINS circled in red

When rest of the mob advanced to the top landing of the stairs, GOINS returned to his feet and remained directly in front of the police line. At some point in the subsequent minutes, GOINS obtained a USCP officer's riot shield. Video shows GOINS holding the riot shield while standing in front of the police line. After an officer kicked at the shield, GOINS can be seen handing the shield to another rioter at the front of the mob. Shortly thereafter, GOINS can be seen facing the mob and yelling, "they're doing what we're doing . . . they're fighting for their families," apparently in reference to the police. He later added, "we're fighting each other."



Image 10: Still from open-source video, with GOINS circled in red

Eventually, however, other rioters succeeded in breaking through the police line and began surging up the remaining stairs at approximately 2:09 p.m. Less than a minute later, GOINS joined the crowd and advanced up the stairs and to the Capitol's Upper West Terrace.



Image 11: Screenshot of Capitol CCTV, with GOINS circled in red

From the Upper West Terrace, GOINS entered the Capitol building through the Senate Wing Door at 2:14 p.m.— one minute after the first breach of the Capitol building, which took place at this entrance.

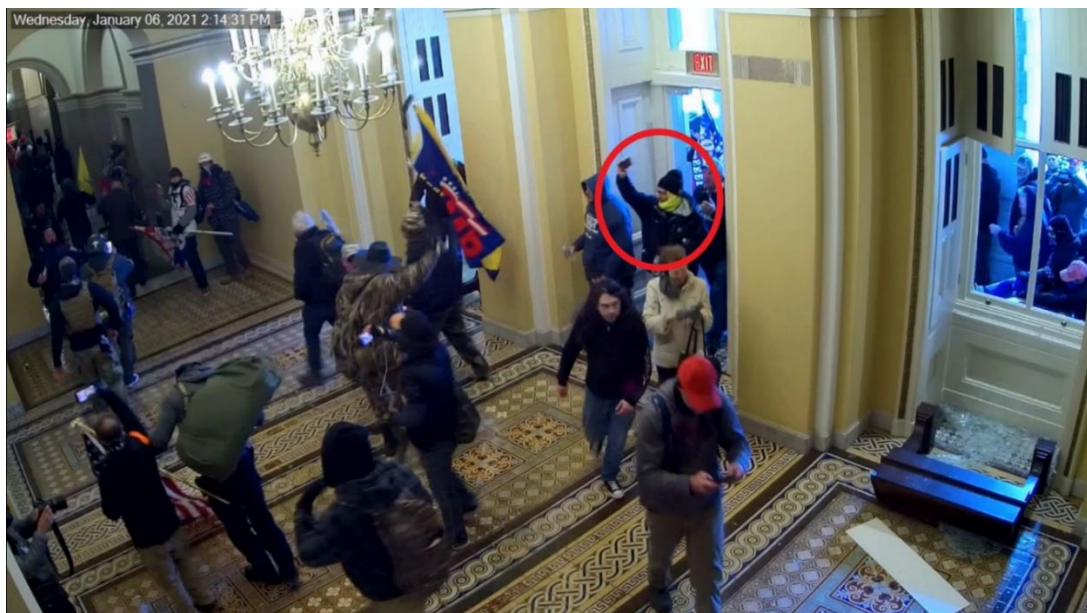


Image 12: Screenshot of Capitol CCTV, with GOINS circled in red

Once inside, GOINS stood on top of a bench and held up his cellular phone in a manner consistent with taking videos or photos of the area.



Image 13: Still from open-source video, with GOINS circled in red



Image 14: Still from open-source video, with GOINS circled in red

GOINS then moved further into the building and away from the entrance at the Senate Wing Door. At approximately 2:18 p.m., GOINS arrived at the foyer on the opposite side of the building just inside the Senate Carriage Door. At that time, USCP officers were working to clear the building by moving rioters out through the Senate Carriage Door.

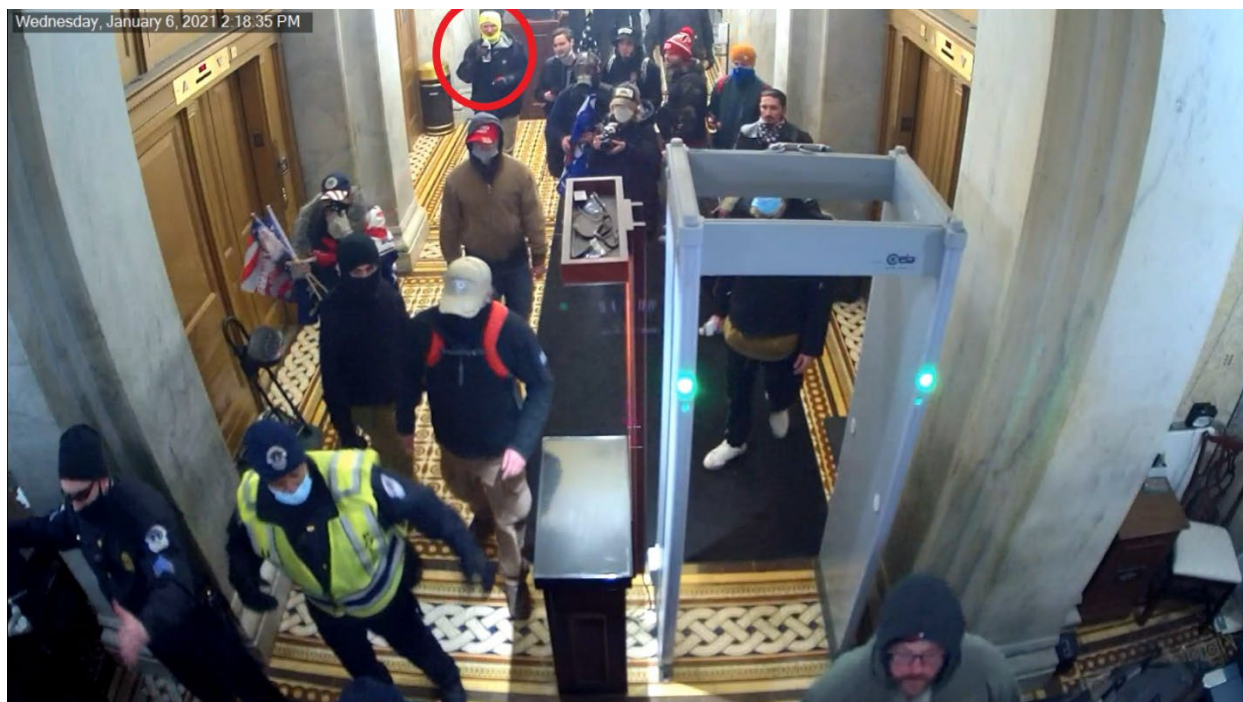


Image 15: Screenshot of Capitol CCTV, with GOINS circled in red

Despite efforts by the police to move the crowd out through the Senate Carriage Door, GOINS remained inside the Capitol building. He positioned himself just to the side of the door's interior while other rioters outside the door attempted to gain entry.



Image 16: Still from open-source video, with GOINS circled in red

At approximately 2:19 p.m., the police closed the Senate Carriage Door to prevent additional rioters from entering the Capitol building. In CCTV footage, GOINS can be seen speaking with USCP officers who appeared to be directing him away from the door. GOINS then

removed his green neck gaiter, picked up a red, white, and blue baseball cap saying “USA” off the ground, and began walking away from the door at 2:21 p.m.



Image 17: Screenshot of Capitol CCTV, with GOINS circled in red

By approximately 2:26 p.m., GOINS returned to the area inside the Senate Wing Door and was wearing a black knit beanie, rather than the “USA” cap. By this time, additional law enforcement had arrived and begun clearing the area and directing rioters to exit through the Senate Wing Door or two broken windows on either side of the door. GOINS stood along the back wall of the foyer for approximately 1.5 minutes and appears to have been holding his cellular phone for the duration of that time.



Image 18: Screenshot of Capitol CCTV, with GOINS circled in red

CCTV footage then shows USCP officers directing GOINS to exit the building through the broken window adjacent to the Senate Wing Door. At approximately 2:30 p.m., GOINS exited through that window after spending approximately sixteen minutes inside the Capitol building.

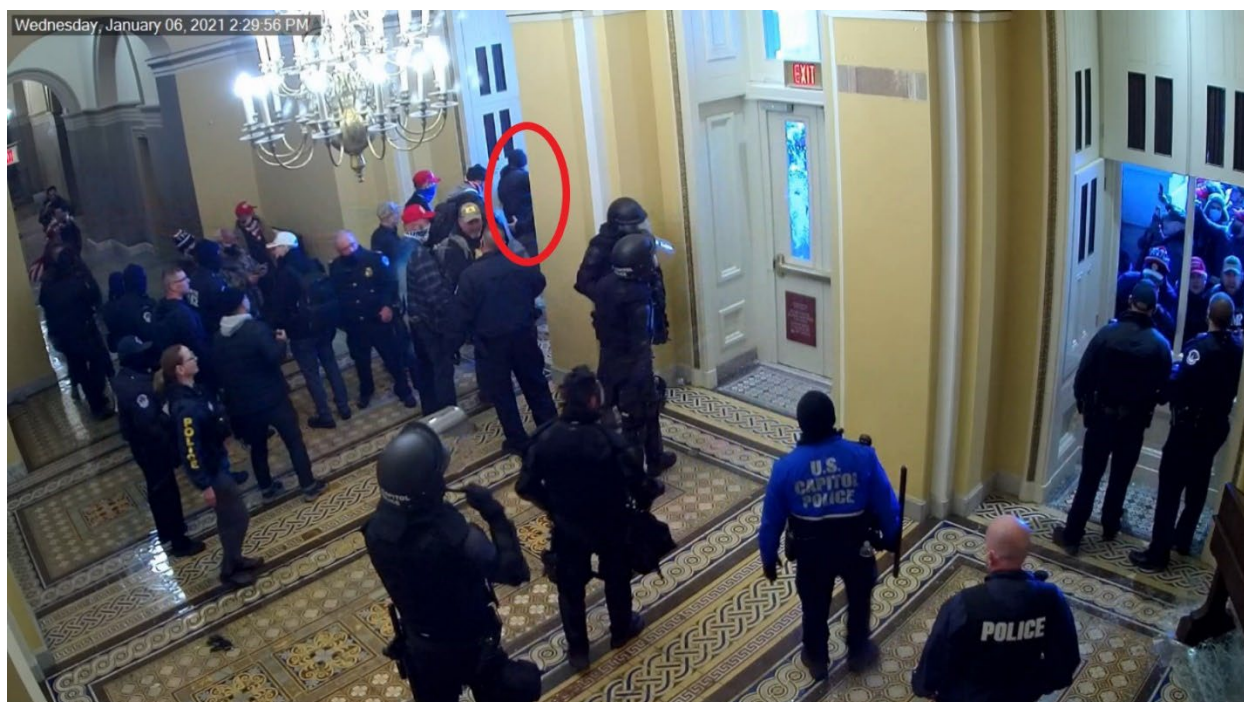


Image 19: Screenshot of Capitol CCTV, with GOINS circled in red

Probable Cause Conclusions

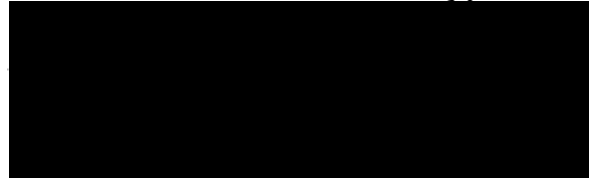
Based on the foregoing, your affiant submits that there is probable cause to believe that GOINS violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance 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.

Your affiant submits that there is probable cause to believe that GOINS violated 18 U.S.C. § 111(a)(1) and (b), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of Title 18 while engaged in or on account of the performance of official duties, while using a deadly or dangerous weapon or inflicting bodily injury. Persons designated within section 1114 of Title 18 include federal officers such as USCP Officer B.W. and include any person assisting an officer or employee of the United States in the performance of their official duties.

Your affiant also submits that there is probable cause to believe that GOINS 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 Title 18 while engaged in or on account of the performance of official duties, where such acts involve physical contact with the victim or the intent to commit another felony. Persons designated within section 1114 of Title 18 include federal officers such as USCP Special Agent M.F. and include any person assisting an officer or employee of the United States in the performance of their official duties.

You affiant further submits that there is probable cause to believe that GOINS violated 18 U.S.C. §§ 1752(a)(1), (2), and (4) and 1752(b)(1)(A), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (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; (4) knowingly engage in any act of physical violence against any person and property in a restricted building and grounds; and (b)(1)(A) to use or carry a deadly or dangerous weapon during and relation to the above offense. 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.

Lastly, your affiant submits that there is probable cause to believe that GOINS violated 40 U.S.C. §§ 5104(e)(2)(D), (F), 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; (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; 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 3rd day of May 2024.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE