

STATEMENT OF FACTS

Your affiant, [REDACTED] is a special agent assigned to the [REDACTED] office. In my primary duties as a special agent, I investigate public corruption matters. I have also investigated and participated in investigations involving federal criminal violations related to financial crimes, illegal drugs, bribery, carjackings, underage trafficking, and fraud. During my training at the FBI Academy, Quantico, Virginia, I have received training in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. Prior to working for the FBI, which I joined in 2019, I spent approximately six years working as a State Trooper for the New Jersey State Police. During my career as a Trooper, I investigated criminal matters such as thefts, robberies, burglaries, assaults, homicides, child abuse, arson, domestic abuse, trespassing, and kidnapping.

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.

Facts Specific to JAMIE CHARLESWORTH

Identification of JAMIE CHARLESWORTH

On March 26, 2021, an investigation was opened on TYLER HENSON for unlawfully entering the U.S. Capitol Building on January 6, 2021. HENSON was interviewed as part of the investigation on August 19, 2021. HENSON stated he traveled to Washington D.C. on January 6, 2021, with two family members. HENSON identified one of the family members as STEPHEN OSEEN, and the other as JAMIE (last name unknown), claiming they were all cousins.

OSEEN was interviewed on November 12, 2021. During his interview, OSEEN admitted to entering the Capitol Building. He also stated he traveled to Washington, D.C. with two of his cousins. OSEEN identified his cousins as TYLER HENSON and JAMIE CHARLESWORTH. OSEEN provided the following description of what CHARLESWORTH wore and looked like on January 6, 2021: CHARLESWORTH wore a dark sweatshirt, backpack, a winter beanie to stay warm, early 30's, has facial hair and glasses. OSEEN provided Charlesworth's phone number, ending in 5906¹.

Body worn camera (BWC) footage from MPD officers showed HENSON, OSEEN, and CHARLESWORTH, walking together outside the Capitol Building. The image below shows CHARLESWORTH wearing the same clothing described by OSEEN on the Capitol Grounds. *See* Figure 1.

¹ The entire number is known to the affiant.



Figure 1 – Still Image from BWC Showing CHARLESWORTH on the U.S. Capitol Grounds

CHARLESWORTH Enters the U.S. Capitol Building

Interior surveillance cameras from the Capitol show HENSON, OSEEN, and CHARLESWORTH all inside the Capitol Building. CHARLESWORTH was observed making entry into the Capitol Building, via a window near the Senate Wing Door, at approximately 2:50 p.m. See Figure 2. CHARLESWORTH was wearing a dark colored Trump sweatshirt, backpack, dark colored beanie, and glasses similarly described by OSEEN during his interview. The below image (Figure 3) shows all three individuals inside the Capitol lobby.



Figure 2 – Still Image from CCTV - CHARLESWORTH Enters the Capitol Through the Senate Wing Doors at approximately 2:50 p.m.

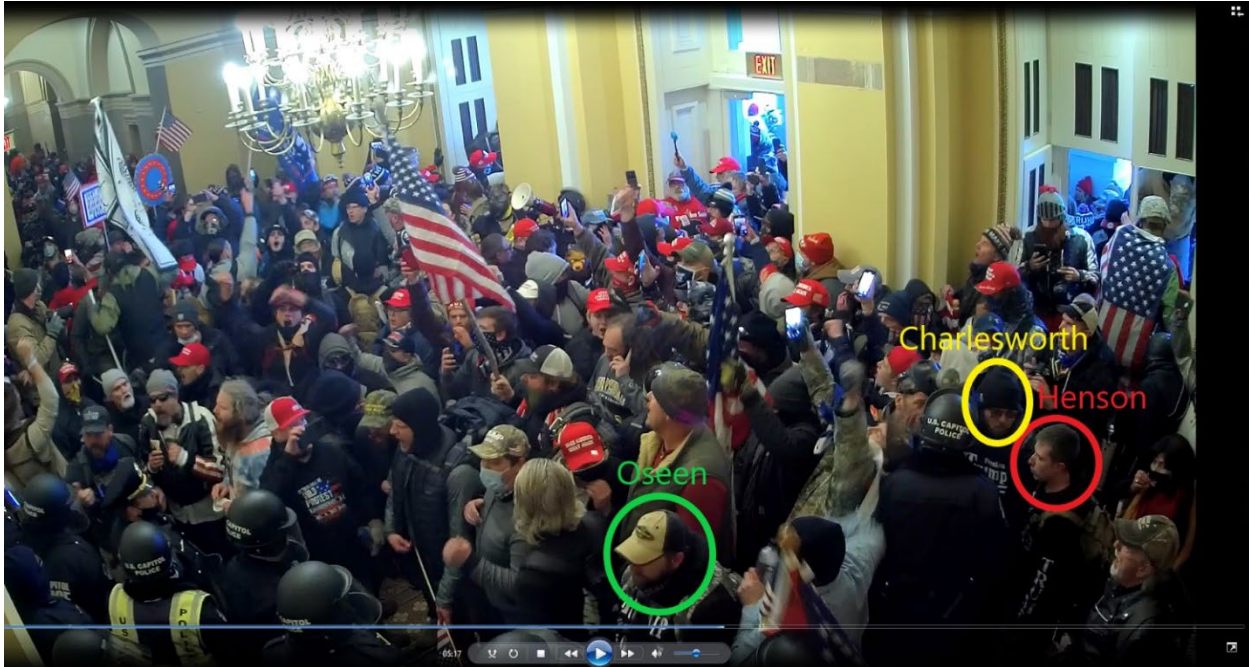


Figure 3 – Still Image of Henson (labeled in red), Oseen (labeled in green), and Charlesworth (labeled in yellow) inside the Capitol lobby.

Interior surveillance cameras show CHARLESWORTH separated from HENSON and OSEEN and walked down the hallway toward the Crypt at approximately 3:05 p.m. See Figure 4. CHARLESWORTH walked inside the Crypt and walked out of the Crypt using the the same hallway leading to the Senate Wing Door area. At approximately 3:09 p.m., CHARLESWORTH exited the Capitol through the Senate Wing Doors. See Figure 5.

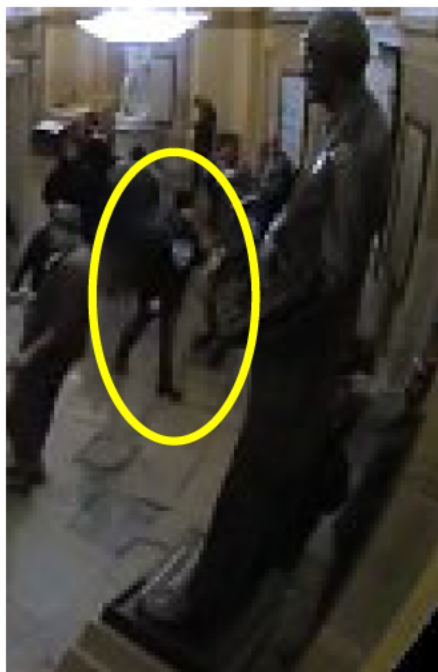


Figure 4 – CHARLESWORTH Inside the Crypt at Approximately 3:05 p.m.

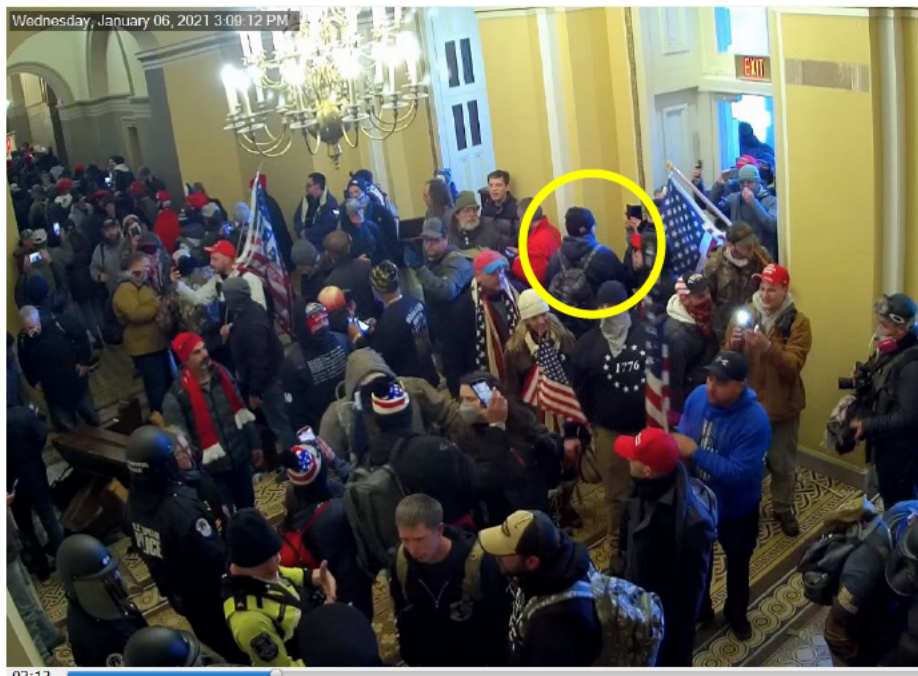


Figure 5 – CHARLESWORTH Exiting the U.S. Capitol Through the Senate Wing Doors at Approximately 3:09 p.m.

FBI Interview of JAMIE CHARLESWORTH

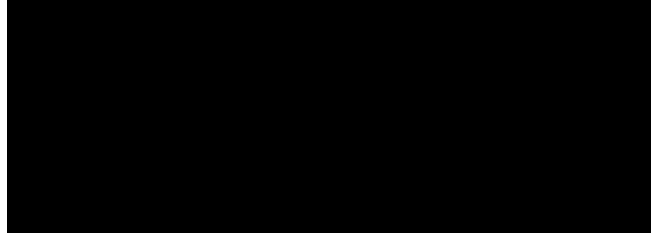
On December 3, 2021, the affiant conducted a non-custodial interview of CHARLESWORTH. CHARLESWORTH verified his cell phone number ending in 5906 and stated the current provider was T-Mobile. CHARLESWORTH admitted that he, OSEEN, and HENSON traveled to Washington, D.C. on January 6, 2021 to attend the President Trump rally. CHARLESWORTH took photographs and recorded videos on his cellular phone during the January 6, 2021 rally. CHARLESWORTH showed the photos to the FBI which were taken on January 6, 2021. The photos were taken outside of the Capitol, during the rally.

CHARLESWORTH admitted to entering the Capitol Building on January 6, 2021. CHARLESWORTH was presented with still images from body worn cameras and surveillance video from January 6, 2021. CHARLESWORTH identified himself as the individual circled in the photo (Figure 1) wearing the same dark Trump sweatshirt, dark beanie hat, glasses, and a backpack as Figure 2. CHARLESWORTH identified himself, OSEEN, and HENSON in Figure 3.

Based on the foregoing, your affiant submits that there is probable cause to believe that JAMIE CHARLESWORTH 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 JAMIE CHARLESWORTH violated 40 U.S.C. § 5104(e)(2)(D) and (G), which make it a crime to (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.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 28th day of May 2024.

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE