

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Task Force Officer (TFO) assigned to Tampa / Brevard Field Office of the Federal Bureau of Investigation's Joint Terrorism Task Force. In my duties as a Task Force Officer, I have received specialized training from the FBI and my agency, the Brevard County Sheriff's Office, including training in the investigation of domestic terrorism, internationally terrorism, and anti-government violent extremism.

Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Task Force Officer, 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. I have held this current position for approximately the last three years.

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.

I. Identifying SOHAIL BHATTI

Since January 6, 2021, the FBI has been investigating and identifying those who were inside of the Capitol without authority and disrupted the proceedings. During that investigation, the FBI learned on Wednesday, November 29, 2023, via received source information, SOHAIL BHATTI unlawfully entered the Capitol Building on January 6, 2021. Pictures and video of BHATTI were captured at and inside the Capitol Building, via open source media platforms, internet sites, and Capitol CCTV videos.

I utilized local and federal law enforcement databases, the Drivers, and Vehicle Information Database (D.A.V.I.D), and additional open-source tools to query SOHAIL BHATTI. From the law enforcement query on January 8, 2024, I observed no documented interactions between Sohail Bhatti and any other law enforcement agencies in State of Florida. From the DMV query, I observed SOHAIL BHATTI's Florida Driver's License, vehicle information, address, and passport information. In reviewing BHATTI's D.A.V.I.D., I observed a distinct marking on BHATTI's left cheek, which is consistent with other photographs of the male subject inside the Capitol Building.

On January 16, 2024, I completed a "Spot Check" of BHATTI's residence, located at XXXXXXXX Road, Cocoa, Florida, 32927. At the residence, I observed a green 1997 Honda CRV vehicle, bearing Florida tag # Y104YG. This vehicle is registered to SOHAIL BHATTI.



Image 1 – BHATTI's Residence and Car

On February 1, 2024, Special Agent Jacob Hamilton and I attempted to contact BHATTI at his residence. Upon arriving at the residence, no vehicles were observed in the driveway, and no one was at the residence. Before leaving the area, I contacted a neighbor and showed them a photograph of BHATTI. This neighbor confirmed that BHATTI lived at the suspected residence and noted that BHATTI was a nurse who normally worked during the nighttime hours.

On February 2, 2024, SA Hamilton and I contacted BHATTI at his residence. I showed BHATTI a photograph of a male subject inside the Capitol Building (Image 2, below).



Image 2: BHATTI inside the US Capitol on January 6, 2021 – photo taken by third party

BHATTI stated, “That’s me, I went inside the Capitol Building, and walked around because I believed it was my patriotic duty.” At the conclusion of the interview, I asked BHATTI for his phone number, in case additional questions are needed. BHATTI provided his phone number as XXX-XXX-9273.

II. BHATTI Inside the US Capitol

BHATTI entered the Capitol through the Upper West Terrace door at 2:37 p.m. The following images were captured from U.S. Capitol Police surveillance footage (“CCTV”).



Image 3: BHATTI entering the Capitol Building at 2:37 p.m.



Image 4: BHATTI continuing into the Capitol Building



Image 5 and 6: BHATTI inside the Rotunda from 2:38 to 2:40 p.m.

While in the Rotunda, BHATTI appears to take photos or videos with his phone before moving towards Statuary Hall.



Image 7 and 8: BHATTI entered Statuary Hall

At 2:43 p.m., BHATTI walked down the hallway toward the House of Representatives’s chamber.



Image 9 and 10: BHATTI moved towards the Speaker's Lobby

BHATTI remained near the Speaker's Lobby from 2:43 to 2:53 p.m. BHATTI watched as other rioters attempted to kick down the doors to the House chamber.

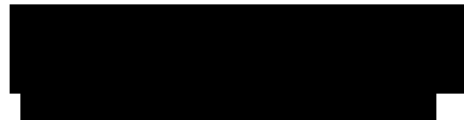


Images 11, 12, and 13: BHATTI exits the Capitol Building through the Upper House Door.

At 2:54 p.m., a line of police officers followed behind BHATTI, removing the rioters from the building. BHATTI was inside the U.S. Capitol Building for approximately seventeen minutes.

Based on the foregoing, your affiant submits that there is probable cause to believe that SOHAIL BHATTI 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 BHATTI 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 3rd day of June 2024.

HONORABLE ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE