

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer with the Federal Bureau of Investigation assigned to the FBI's Tampa Field Office. In my duties as a Task Force Officer, I am responsible for investigating violations of Title 18 of the United States Code and other violations of federal law. I have conducted and participated in investigations that the used, among other techniques: physical and electronic surveillance; witness and subject interviews; the execution of search warrants; and, the analysis of evidentiary items. 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.

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.

As a result of the siege of the Capitol, the Mayor of the District of Columbia issued a Declaration of a Second Public Emergency – Citywide Curfew which imposed a curfew commencing at 6:00 p.m. EST on January 6, 2021 and ending at 6:00 a.m. EST on Thursday, January 7, 2021. This adversely impacted interstate commerce¹. For instance, Safeway Supermarket in Washington, D.C. closed at 4:00 p.m. EST as a result of the curfew, negatively impacting sales².

After the curfew had gone into affect that evening at 6:00 p.m. numerous people did not comply with the curfew, and after they did not leave after being notified they were in violation of the curfew they were arrested by Metropolitan Police Department officers. When these individuals were arrested they were booked and their photographs and personal information were taken.

Identification of AMOS in Activities on January 6th

Among the individuals arrested in Washington, D.C., that night for violating the curfew was a man named Michael Jerrett AMOS. He was documented in the arrest as having been apprehended along with several others at the Peace Circle, which is located west of the Capitol building, at between 7:15 and 7:30 p.m. He and the others were arrested after officers gave them three verbal warnings to leave and they did not comply. Amos was identified at the time of arrest as wearing tan pants, a green shirt, and a gray coat. In addition, the below photograph was taken on the evening of his arrest. (Figure 1).



Figure 1

¹ <https://mayor.dc.gov/release/mayor-bowser-orders-citywide-curfew-beginning-6pm-today>

² <https://www.washingtoninformer.com/safeway-closes-d-c-locations-amid-protests/>

During national news coverage of the events at the Capitol earlier on January 6th, 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 at the U.S. Capitol building without authority to be there, with many documented assaulting and impeding officers protecting the Capitol. From those videos and pictures, as well as body worn cameras (BWCs) worn by many of the Metropolitan Police Department officers who responded to the Capitol to assist the U.S. Capitol Police, your affiant has identified an individual who was involved in actions during the riot at the Capitol that afternoon who your affiant believes is AMOS given both the physical description and distinct dress of AMOS on January 6th.

During events which occurred on the west side of the Capitol that afternoon AMOS was seen on the steps of the Southwest Plaza of the Capitol on both open source video taken by other rioters as well as BWCs of officers protecting the Capitol. Although AMOS was wearing a helmet and sunglasses during his time at the Lower Southwest Plaza there are numerous reasons, a number of which are described below, which allowed me to identify him as the individual involved in the criminal activity which is detailed below.

Beyond the physical similarities in the appearance between the individual depicted in the events that evening and earlier in the day, there are also a number of additional distinct similarities in dress common between the above arrest photograph of AMOS taken from the evening of January 6, 2021 (Figure 1) and the other videos and images of AMOS from earlier that day, including at the Southwest Plaza steps at around 2:00 pm. In both Figure 1 and in the partial BWC screenshot from an officer on the Southwest Plaza below (Figure 2), the individual depicted in each image is wearing a gray hooded jacket with zipper closure and drawstring pulls and square, pleated chest pockets with button closures. In addition, in the arrest photograph from the evening AMOS is wearing a gray inner jacket with zipper closure visible under the outside jacket and in the photograph from the Southwest Plaza a gray inner garment is visible zipped up underneath the gray outer jacket.



Figure 2 – BWC screenshot

Additional information which identifies AMOS as the individual depicted in Figure 2 are detailed below. Just minutes before AMOS and others were arrested that evening near the Peace Circle area of the west front of the Capitol, he was seen on BWC footage walking past a Metropolitan Police Department (MPD) officer. Figure 3. In that footage he is seen wearing the same gray hooded jacket, and was also wearing a tan colored baseball cap similar in appearance to the one under the helmet he wore earlier in the day, as well as carrying a United States flag on a silver metal pole and wearing a green backpack as he was earlier at the Lower Southwest Plaza. All three items are seen in Figure 2 above and in other videos of Amos that afternoon at the Southwest Plaza.



Figure 3 – BWC screenshot

In addition, when AMOS was arrested that evening he was taken to an area where he was prepared to be transported by bus to a booking area. While there he spontaneously stated that he was from Naples, Florida, his known residence. BWC footage taken when AMOS entered the bus captured a distinctive logo on the left rear pocket of his tan pants. Figure 4. Then when he arrived at the processing center he identified himself as he got off the bus as Michael Amos.



Figure 4 – BWC screenshot

This same distinct logo matches the logo from the left rear pocket of the tan pants worn by him earlier in the day at the Southwest Plaza and captured on BWC. Figure 5.



Figure 5– BWC screenshot

AMOS's Criminal Acts at the U.S. Capitol

By the afternoon of January 6, 2021, thousands of protestors had gathered on the west side of the Capitol building. Having earlier pushed past the outer barriers of the restricted area they were then at a second line of officers formed along the West Plaza to the Capitol. The officers were posted there behind a line of metal bike rack fences at a landing above a small flight of stairs which spanned the Lower West Plaza. This area was well inside of the restricted perimeter which had been set up around the entire Capitol for that day. During this time rioters confronted officers at that line and made repeated efforts to remove or push back the bike racks or otherwise get past the police line, assaulting and impeding officers. After the rioters made numerous efforts to breach the police line, some of which are detailed below, the line broke at about 2:30 p.m., and officers were forced to fall back as rioters surged further forward toward the Capitol building.

During this time officers were attempting to keep the rioters from progressing past the West Plaza, numerous rioters were pushing against the fencing and trying to pull it down. During this time period AMOS was near the front of the crowd. While AMOS was there multiple efforts were made by rioters to pull the fencing way from the officers.

At about 1:57 p.m. just to the side of where AMOS was standing a group of rioters began to pull some of the the metal fencing down and pulled officers to the ground. Figure 6. After considerable effort officers were able to re-group and re-establish the line, though some of the metal fence sections were lost to the crowd.



Figure 6 – BWC screenshot

Again at about 2:04 p.m., BWC captured rioters attacking the same area of the police line on the Southwest Plaza and pulling and pushing the officers and their equipment in an attempt to break the police line. Figures 7 and 8. Officers were pulled down the steps and as they were recovered by other officers and were retreating back up the steps AMOS was captured in BWC

surging forward toward the police line with the flag pole extended in the direction of officers. Figures 9 and 10.



Figure 7 – BWC screenshot



Figure 8– BWC screenshot



Figure 9– BWC screenshot



Figure 10– BWC screenshot

As the police line re-formed AMOS stayed at the front of the line of rioters. During this time he held his right hand in his jacket pocket for much of the time. However, on at least two occasions he brought his right hand out momentarily while holding an object. When he did so the BWC of an officer captured the object he was holding in his hand. Figures 11 and 12. From the the shape and size of the object, the manner in which AMOS was holding it, and my training and experience in law enforcement your affiant believes that the object is consistent with a hand-held canister of pepper spray.



Figure 11–BWC screenshot



Figure 12-BWC screenshot

At approximately 2:12 pm rioters once again surged up the stairs in the same area and attacked officers, pulling some of them down the steps. Other officers then advanced down the steps to protect and retrieve the others, at which time from the side of the crowd of rioters AMOS pulled the cannister out of his pocket and sprayed it at the officers. Figure 13.



Figure 13– BWC screenshot

Officers were able to retrieve the others once again and were able to re-establish the police line at the top of the steps. However, the rioters continued to confront officers and AMOS remained near the front of that crowd. At approximately 2:25 p.m. AMOS was captured on BWC looking back toward the crowd behind him on the steps and shouting “forward...forward!” Figure 14 is a screenshot from this moment.



Figure 14 - screenshot of BWC

Less than one minute later the crowd surged forward again at officers, with rioters on the front row pushing and grabbing at officers while those behind, including AMOS, were pushing against the others' backs to help them advance. Figure 15 and 16 are screenshots of a video recording by another individual in the crowd. In Figure 15 AMOS appears ready to push with the flag pole braced in front of him, and in Figure 16 AMOS is seen leaning forward into the first row of rioters as they try to advance. AMOS is also captured in an officer's BWC footage in Figure 17 after the officer has fallen to the ground and AMOS is visible pushing forward in the crowd. While the officers were able to eventually repel this attack and re-establish a police line, the line was finally and decisively breached only minutes later at approximately 2:30 p.m and the rioters overtook the entire West Plaza.



Figure 15 – screenshot from <https://archive.org/details/JmuHMaQnKrnKwgMuX>



Figure 16 - screenshot of video <https://archive.org/details/JmuHMaQnKrnKwgMuX>



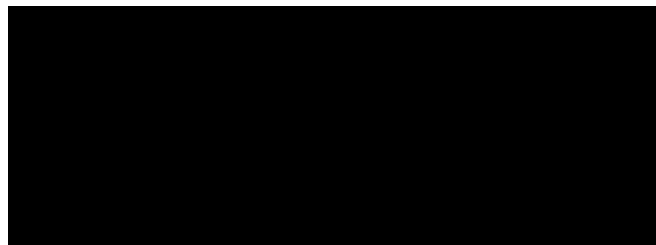
Figure 17- screenshot of BWC

Based on the foregoing, your affiant submits there is probable cause to believe that AMOS committed a felony violation of Title 18, U.S.C. § 111(a)(1), which makes it unlawful to forcibly assault, resist, oppose, intimidate, or interfere with any person or persons while engaged in or on account of the performance of official duties. For purposes of Section 111(a)(1), the person or persons in this instance were Metropolitan Police Department (MPD) and United States Capitol Police Officers responding to the siege of the United States Capitol. Through my investigation, I know that MPD officers at the Capitol on January 6th were present specifically to assist federal law enforcement in their efforts to protect the Capitol and the people inside, and were assisting federal officers in the performance of their official duties as defined in 18 U.S.C. § 1114.

Your affiant further submits there is probable cause to believe that AMOS violated Title 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 Joint Session of Congress where the Senate and House count Electoral College votes.

Your affiant also submits that there is probable cause to believe that AMOS 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; and 18 U.S.C. § 1752(a)(4), which makes it a crime to knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; 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.

Finally, your affiant submits there is also probable cause to believe that AMOS violated Title 40 U.S.C. § 5104(e)(2)(D) and (F) 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, (F) engage in an act of physical violence in the Grounds or 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 27th day of June 2024.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE