

## STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with Federal Bureau of Investigation (FBI). I have been in this position since December 2022. I am currently assigned to the Joint Terrorism Task Force in the FBI's Baltimore Division. My current position is devoted to investigating, managing, and supporting both international and domestic terrorism investigations which often involve violations of Title 18 of the United States Code. This includes investigations of criminal activities in and around the U.S. Capitol grounds on January 6, 2021. Prior to my position with the FBI, I was employed with the United States District Courts as a United States Probation and Pretrial Services Officer for approximately ten (10) years. 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 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 Catholine DeVries***

As set out in more detail below, based on my review of publicly available video footage, United States Capitol Police (“USCP”) surveillance footage, and body worn camera (“BWC”) footage of police officers who responded to the United States Capitol on January 6, 2021, I have observed an individual later identified as Catholine DeVries among a large group of rioters who committed illegal acts there that day. Specifically, DeVries illegally entered the U.S. Capitol grounds and building despite clearly marked signage and numerous other indicators that the area was closed to the public.

#### **A. Identification of Catholine DeVries**

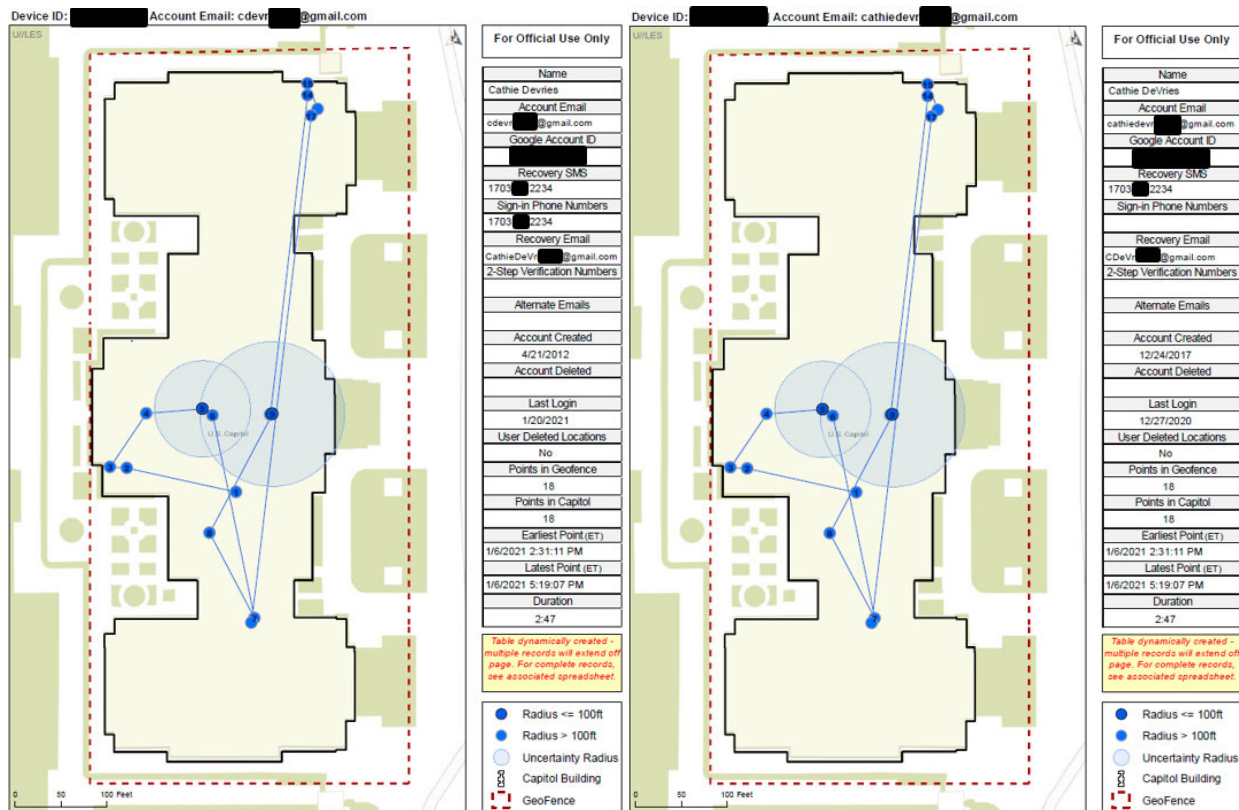
DeVries initially came to the FBI’s attention on or about January 10, 2021 when someone with a personal relationship with DeVries (“Witness 1”) informed the FBI that DeVries was involved in the riot at the U.S. Capitol on January 6, 2021.

On January 25, 2021 an FBI Agent and Task Force Officer conducted a recorded interview with DeVries in which DeVries admitted to being inside the U.S. Capitol Building on January 6, 2021. DeVries indicated that she wore a plaid jacket and a white cowboy hat. DeVries admitted to being inside Speaker Pelosi’s office and knowing that it was Speaker Pelosi’s office. DeVries admitted that she saw civilians assault law enforcement officers inside the Capitol that day. DeVries showed the Agent a video she took using her phone inside the U.S. Capitol Building, specifically in the Hall of Statues. The Agent and Task Force Officer obtained a copy of that video. DeVries said she was pushed into the U.S. Capitol Building, was only inside for ten minutes, only took the one video, took no video or photos in Speaker Pelosi’s office, did not observe any destruction, and if she did, it was not from supporters of President Trump.

After the January 25, 2021 interview, the FBI Agent who interviewed DEVRIES confirmed that DEVRIES’s appearance matched the appearance of an individual depicted in Capitol surveillance footage from January 6, 2021. Additionally, the Agent reviewed DEVRIES’s driver’s license photo and confirmed that the individual she interviewed was in fact Catholine DeVries.

According to records obtained through a search warrant served on Google LLC, two mobile devices using two accounts associated with the email cdevrXXXXX@gmail.com and a phone number with area code 703 ending in 2234 (the “2234” number”) used cellular sites consistent with providing service to a geographic area inside the Capitol’s restricted zone multiple times for a period of almost three hours on January 6, 2021.

Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. Finally, Google reports that its “maps display radius” reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that the devices were located in the restricted area around the Capitol building and inside of the Capitol building between the hours of 2:31:11 p.m. and 5:19:07 p.m., at locations reflected by each darker blue circle in Image 7 and Image 8 respectively, below, with the “maps display radius” reflected by each lighter blue ring around each darker blue circle. Google records show that the “maps display radius” for this location data include data points that encompass an area that is partially or entirely within the U.S. Capitol building at these times. In addition, as illustrated in the maps below, the listed locations were entirely within areas of the U.S. Capitol Grounds which were restricted on January 6, 2021.



Images 1 & 2 – Location of Devices on January 6, 2021

Account 1 lists cdevrXXXXX@gmail.com as the primary email. Account 2 lists cdevrXXXXX@gmail.com as the recovery email. The 2234 number is listed as the sign-in number for Account 1, and the recovery SMS number for both accounts.

Pursuant to a grand jury subpoena served on T-Mobile in November 2023, Catholine DeVries is the subscriber associated with the 2234 number and has been since August 24, 2016. The bill birth date and social security number match Catholine Imogene DeVries’s. DeVries also

gave that same birth date and the 2234 number to the Agents who interviewed her on January 25, 2021.

Based on my review of publicly available video footage, USCP surveillance footage, and BWC footage from January 6, 2021, as well as DeVries's statements during her interview, I have learned that, on that day, DeVries was wearing a plaid jacket, white "Team Trump" cowboy hat, pants, and a dark patterned facemask, and also carried and occasionally wore additional Team Trump cowboy hats, as depicted below:



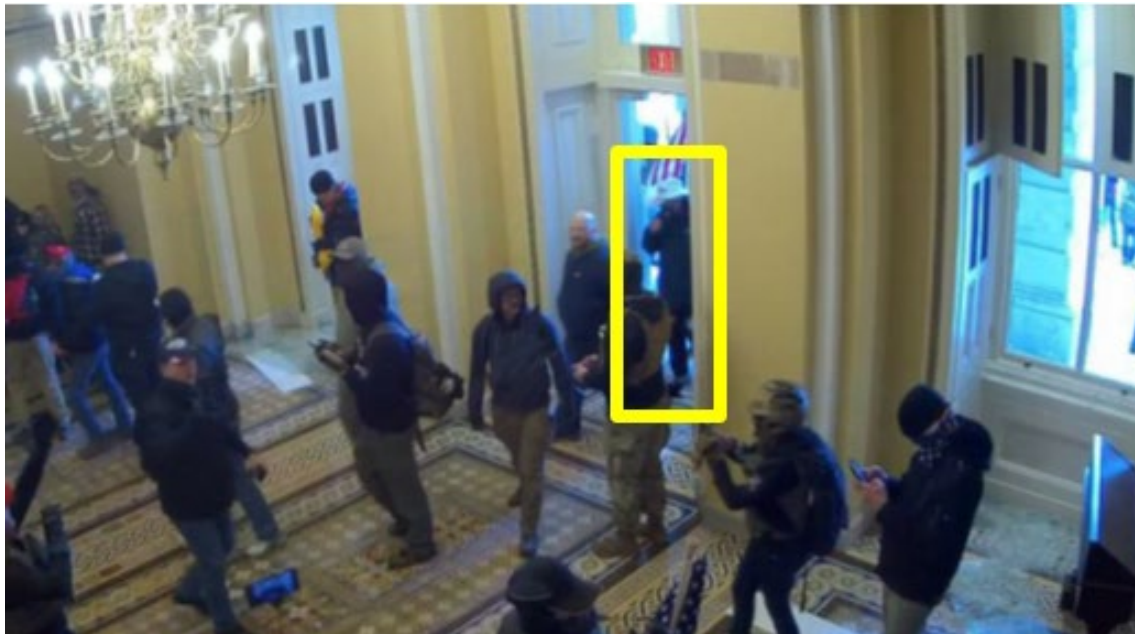
*Images 3, 4, & 5 – DeVries on January 6, 2021*

#### **B. DeVries's Conduct on January 6, 2021**

According to her January 25, 2021 interview with the FBI, on January 6, 2021, DeVries traveled alone from her home in Solomons, Maryland to the Suitland Metro station, where she then took a Metro train into Washington D.C with a couple of other women she met. They attended the entirety of then President Trump's speech at the Ellipse before heading to the U.S. Capitol.

USCP surveillance footage shows DeVries entered the U.S. Capitol building through the Senate Wing Door at 2:17 p.m., shortly after the initial breach at 2:13 p.m. DeVries walked into the Capitol building on her own while the area was not particularly crowded.





*Image 6 – DeVries Entering the U.S. Capitol on January 6, 2021*

Once inside the Capitol, DeVries turned to her right and headed down a hallway. USCP footage shows DeVries entered into the Crypt at approximately 2:18 p.m. Open source footage also shows her there during that time period. The Crypt became quite crowded with rioters attempting to further enter the Capitol, and police trying to prevent this.



*Image 7 – DeVries in the Crypt on January 6, 2021*

At roughly 2:21 p.m., rioters were pushing police not far in front of DeVries in the Crypt. At roughly 2:29 p.m., after rioters had breached the line of police officers trying to prevent further entry into the Capitol, DeVries exited the Crypt and headed farther into the Capitol.

Surveillance footage shows DeVries took the Memorial Door toward the Memorial Stairs at approximately 2:30-2:31 p.m. It then shows DeVries in the hallway outside Speaker Pelosi's office at 2:32 p.m.



*Image 8 – DeVries in the Hallway Outside of Speaker Pelosi's Office on January 6, 2021*

Open source footage shows DeVries recorded footage on her cell phone while inside the Speaker's suite.



*Image 9 – DeVries Recording Footage Inside the Speaker's Suite on January 6, 2021*

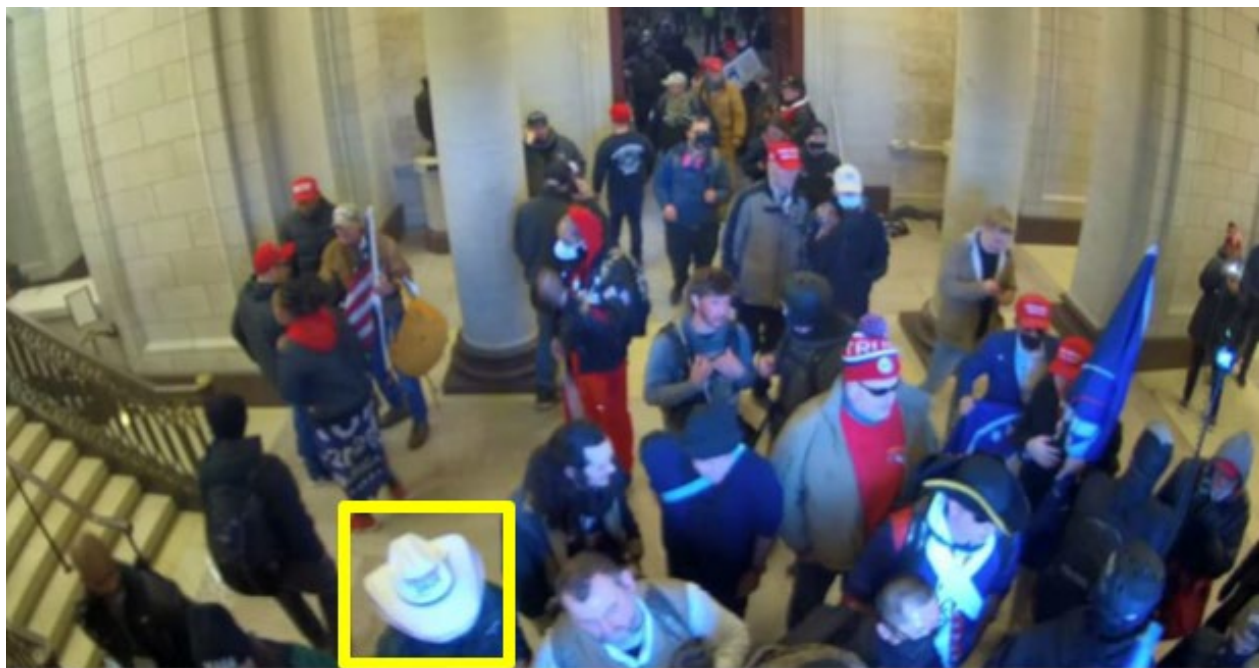
Surveillance footage shows DeVries entered the Rotunda and Hall of Statues multiple times, recording video with her phone in both.

CCV footage shows DeVries was sprayed with chemical irritant spray by the police in the Statuary Hall Connector at 2:46 p.m. Thereafter, she covered her mouth, backed up, turned around, and headed the other direction.



*Image 10 – DeVries Getting Sprayed With Chemical Irritant Spray on January 6, 2021*

CCV footage shows DeVries exited the U.S. Capitol Building via the Rotunda Door at 2:53 p.m.



*Image 11 – DeVries Exiting the Capitol Building on January 6, 2021*



Outside of the Capitol building, on the Capitol grounds, DeVries appeared to film on her cell phone while rioters shouting their support for President Trump smashed media equipment, piled it up, and lit it on fire on U.S. Capitol Grounds.



*Image 12 – DeVries Taking Footage of Rioters Destroying Media Equipment on January 6, 2021*

Based on the foregoing, your affiant submits that there is probable cause to believe that Catholine DeVries violated 18 U.S.C. § 1752(a)(1) and (2), which make 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. 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 Catholine DeVries violated 40 U.S.C. § 5104(e)(2)(C), (D), and (G), which make it a crime to willfully and knowingly: (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (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 1<sup>st</sup> day of July 2024.

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MOXILA A. UPADHYAYA  
U.S. MAGISTRATE JUDGE