

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer assigned to the Federal Bureau of Investigation (FBI). I have been assigned to the FBI since 2022 and have over 27 years in law enforcement. I am currently assigned to a Counterterrorism unit at the North Texas Joint Terrorism Task Force (“NTJTTF”) in Dallas, Texas, responsible for investigating Domestic Terrorism and Weapons of Mass Destruction (“WMD”). Specifically, I am responsible for conducting investigations into various threats, racially motivated extremism, violent anti-government extremists, and WMD violations. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a FBI 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.

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.

On January 26, 2021, the FBI received information from someone known to have been at the U.S Capitol on January 6, 2021, who claimed Micheal Kieth Williams II (“WILLIAMS”) was also at the U.S. Capitol on January 6, 2021.

The FBI received results from a geofence search warrant served on Google, which showed that a mobile device associated with a number ending in 8755 (“the 8755 number”) entered the Capitol grounds at approximately 2:45 PM (EST) and was inside the Capitol building from approximately 2:53 pm to 3:10 pm on January 6, 2021.

Verizon Wireless subscriber information for the 8755 number showed that it was associated with WILLIAMS.

The FBI compared WILLIAMS’ driver’s license photograph to images and videos taken from inside the Capitol, and as detailed below, located evidence of WILLIAMS presence at the Capitol on January 6, 2021.

On June 9, 2021, a family member of WILLIAMS identified WILLIAMS as the individual in the below images taken at the U.S. Capitol on January 6, 2021.



Image #1

Image # 2

I reviewed Capitol Police closed circuit television (“CCTV”), third party videos, Metropolitan Police Department Body-Worn Camera (“BWC”), and Senate Television Gallery

footage from January 6, 2021 to locate and identify WILLIAMS' path in and around the U.S. Capitol building.

On January 6, 2021, at approximately 2:53 PM, WILLIAMS entered the U.S. Capitol building through the Senate Parliamentarian door wearing a distinct gray hoodie with maroon sleeves and hood, a red, white and blue, "45" beanie, and carrying a flag depicting then-President Donald Trump as the character "Rambo." WILLIAMS is circled below in red.



Image # 3 Still from Capitol Police CCTV

By approximately 3:02 PM, WILLIAMS paraded with other rioters to the second floor of the Capitol building, waving the above-mentioned flag and moving towards the Senate floor.

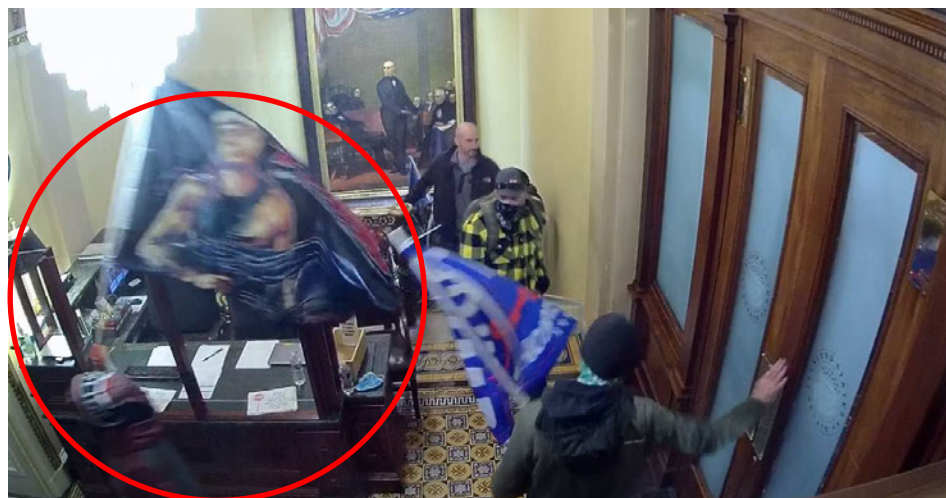


Image # 4 Still from Capitol Police CCTV

WILLIAMS and other rioters made their way to the floor of the United States Senate. While on the Senate Floor, WILLIAMS appeared to record and photograph on his cell phone, waived the flag he was carrying and yelled “this is our house!” Other rioters around WILLIAMS yelled a variety of chants and proclamations such as “take it, don’t give it back to them now!” “Freedom!” “this is our house!” “We’re doing this for God.” “We’re doing this for Trump.” WILLIAMS was on the Senate Floor for approximately 6 minutes, and only left when a group of Metropolitan Police Officers arrived and ordered the rioters to leave.



Image #5 Still from Senate Television Gallery Camera



Image #6 Still from Senate Television Gallery Camera

WILLIAMS exited through the Senate Carriage Door at approximately 3:10 PM, but remained on the Capitol grounds near the building for more than an hour and a half until police forcibly removed the rioters.

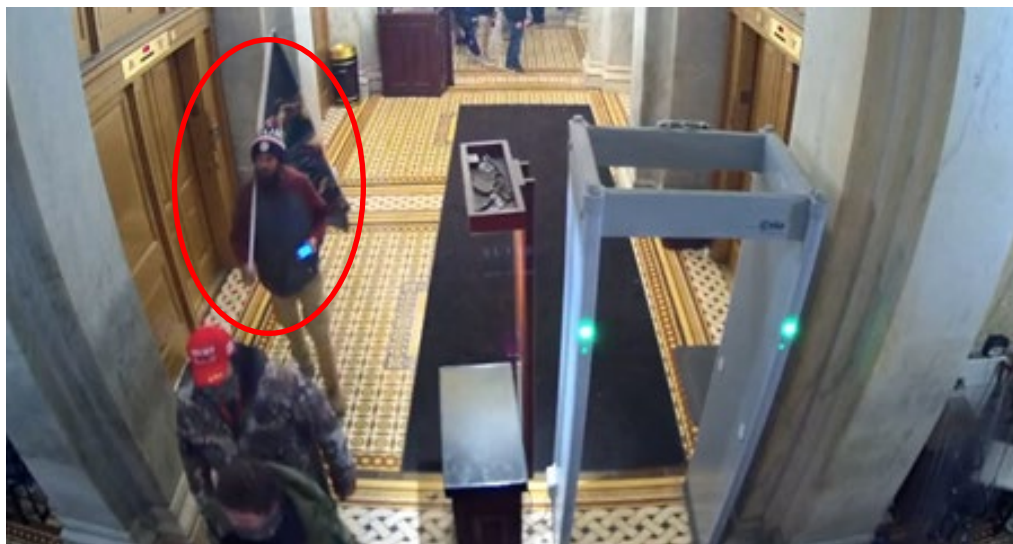


Image #7 Capitol Police CCTV of WILLIAMS exiting through Senate Carriage Door

While outside of the building, WILLIAMS made his way to the North Doors where rioters continued to attack police and try to force entry into the building. At one point, WILLIAMS yelled at police officers as another rioter attacked them by purposefully tripping an officer with a metal bike rack as the officer descended the stairs outside of the North Doors.



Image # 8 Still of Third Party Video of Attack on Officer Circled in Yellow

The officers retreated back inside the North Doors and deployed chemical irritants at the crowd, such as pepper spray and fire extinguishers. WILLIAMS aggressively waived the large Trump flag towards officers for several minutes, thereby limiting their forward movement without risk of being struck and interfering with the effectiveness of chemical irritants being used by police against the crowd.



Image # 9 Still of Body Worn Camera of WILLIAMS Waiving Flag

By about 4:35 PM, police officers in riot gear began pushing rioters away from the North Doors en masse. As the police advanced, WILLIAMS pushed into the police line.



Image # 10 Still from Third Party Video of Police Line Advance

At one point WILLIAMS extended his left arm and pushed toward the police line further resisting the police advance.



Image # 11 Bodyworn Camera Video Shows WILLIAMS Pushing Police

WILLIAMS continued to resist the police attempts to clear the rioters by standing his ground, not backing away and visibly bracing himself by raising his arm and lowering his shoulder.



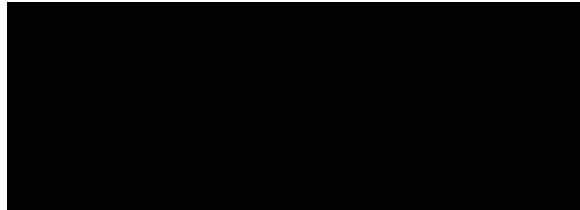
Image # 12 Bodyworn Camera Video Shows WILLIAMS Resisting Police Advance

Based on the foregoing, your affiant submits that there is probable cause to believe that MICHEAL KIETH WILLIAMS II 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; 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 WILLIAMS violated 40 U.S.C. § 5104(e)(2)(A), (D) and (G) which makes it a crime to willfully and (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (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.

Your affiant submits there is probable cause to believe that WILLIAMS 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.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of July, 2024.

HONORABLE MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE