

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent of the Federal Bureau of Investigation (“FBI”) in the Oklahoma City Division since October 2023. Prior to working in the Oklahoma City Division, I was a field artillery officer in the United States Army. I am primarily assigned to investigate matters related to international and domestic terrorism. Currently, I am tasked with investigating criminal activity in and around the U.S. 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, detention, 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.

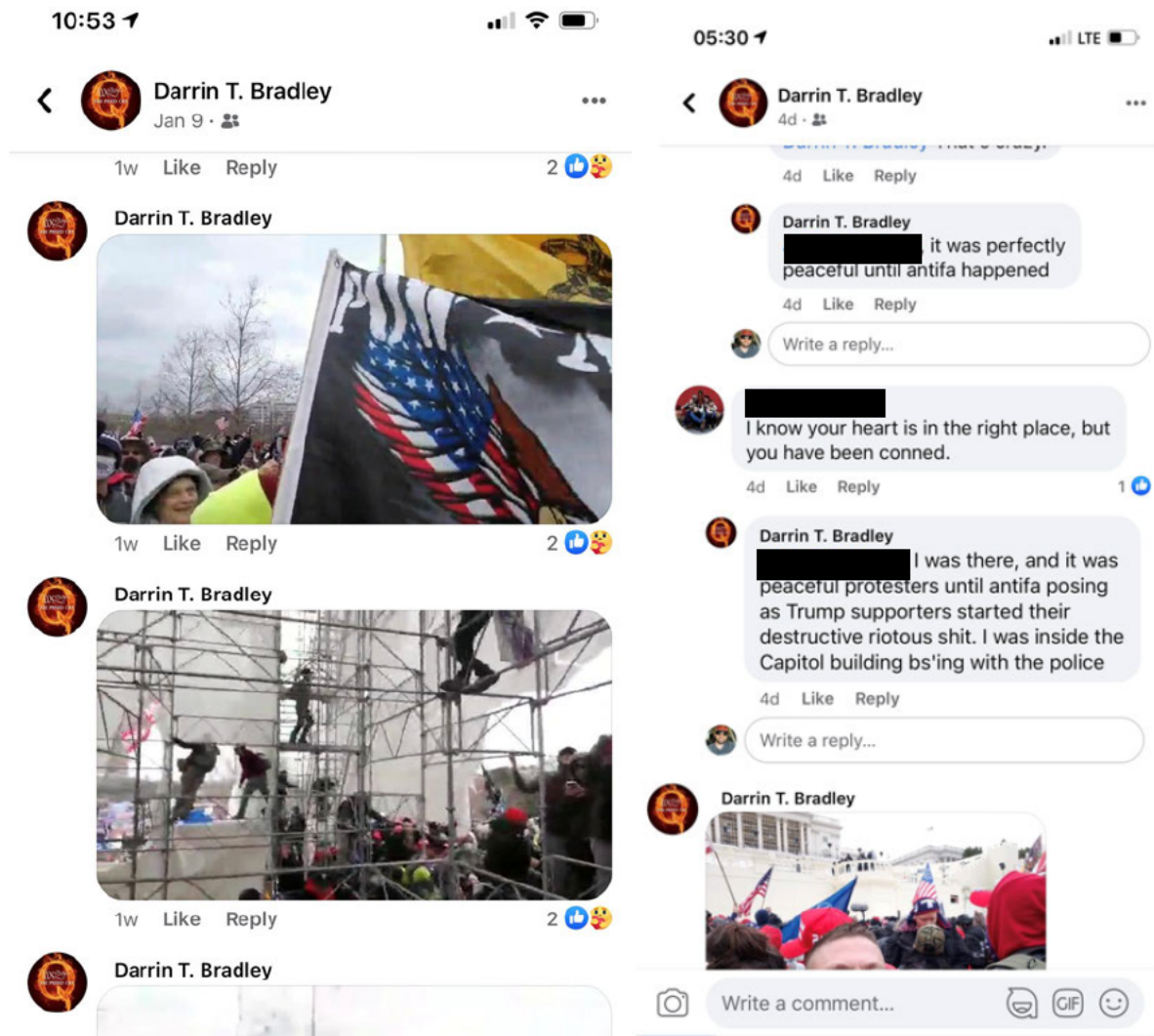
As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, 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 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 17, 2021, the FBI received a tip from Individual 1 that Darrin BRADLEY entered the Capitol building on January 6, 2021. On January 19, 2021, the FBI interviewed Individual 1 over the phone. Individual 1 had a personal relationship with BRADLEY and their families had known each other for multiple years. Individual 1 told the FBI that BRADLEY made multiple posts on Facebook showing himself on Capitol grounds and inside the Capitol building on January 6. Individual 1 took screenshots of BRADLEY's posts on Facebook and provided them to the FBI:



Images 1 and 2: Screenshots provided to the FBI by Individual 1

As part of my investigation, I reviewed open-source videos and photos, Closed Captioned Television (CCTV) from the Capitol, and the videos and photos BRADLEY provided to the FBI. I also reviewed the results of a search warrant for BRADLEY's Facebook account.

BRADLEY'S INTERVIEW WITH THE FBI

On January 20, 2021 the FBI interviewed BRADLEY via telephone. During his interview, BRADLEY said that he went inside the Capitol building with a line of people and that he was towards the back of the line. He said that the door was being held open when he went inside. He told the FBI that he did not touch or destroy anything. BRADLEY spoke with police inside the Capitol building and then helped an elderly gentleman walk out of the Capitol. After escorting the elderly gentleman, BRADLEY helped a woman wash her eyes out. He said that "it turned into something he didn't believe in" and he left Capitol grounds.

On January 21, 2021, BRADLEY called the FBI in regards to sending pictures from his phone taken on the day of the riot. BRADLEY told the FBI that the police moved the barricades out of the way at the street level near the Capitol building. Then he told the FBI that he moved to the stairs of the Capitol building. BRADLEY then told the FBI that he went into the hallway of the building and stood and talked to officers. BRADLEY told the FBI that he was at the Capitol building to get his voice heard.

After his interview with the FBI, BRADLEY emailed the FBI 12 photos and 3 videos that he took on January 6. BRADLEY told the FBI that his camera only worked in "selfie" mode and that the sound on the videos did not work. One of those photos appears to be a "selfie" and matches the photo posted on Facebook in Image 2:



Image 3: Photo provided to the FBI by BRADLEY

BRADLEY’S COMMUNICATIONS BEFORE JANUARY 6, 2021

On February 11, 2021, the FBI executed a search warrant for BRADLEY’s Facebook Account and found messages related to going to Washington, D.C. and the 2020 Presidential election.

On January 5, 2021, BRADLEY messaged an individual via Facebook messenger: “I’m going to be readily equipped”. Later on January 5, in response to another individual messaging him, “I will not ever accept he [Donald Trump] lost,” BRADLEY responded, “Me either, this We the People’s Country Civil War 2” and “I’ll happily die for Our USA ususus.”

BRADLEY’S ACTIVITIES IN WASHINGTON, D.C. ON JANUARY 6

Based on my review of open-source video and photos that BRADLEY provided to the FBI, on January 6, BRADLEY walked to the west side of the Capitol building from the area around the Washington Monument. BRADLEY stood on an area of Capitol grounds called the West Plaza. While he was on the West Plaza, BRADLEY cheered along with the crowd. By this time, rioters had overwhelmed officers on the west front, bypassed officer lines, and gained access to the Northwest stairs.



Image 4: Screen shot of open-source video (BRADLEY circled in yellow)

At approximately 2:00 p.m., BRADLEY approached the scaffolding on the north side of the West Plaza that was set up as part of the inauguration stage. BRADLEY videoed himself and others maneuvering through the scaffolding to gain closer access to the Northwest stairs.



Image 5: Screenshot of video provided to the FBI by BRADLEY

Based on my review of open-source video and CCTV, BRADLEY ascended the Northwest stairs and entered the Parliamentarian doors of the Capitol building at approximately 2:45 p.m. – a few minutes after the door was initially breached by rioters.

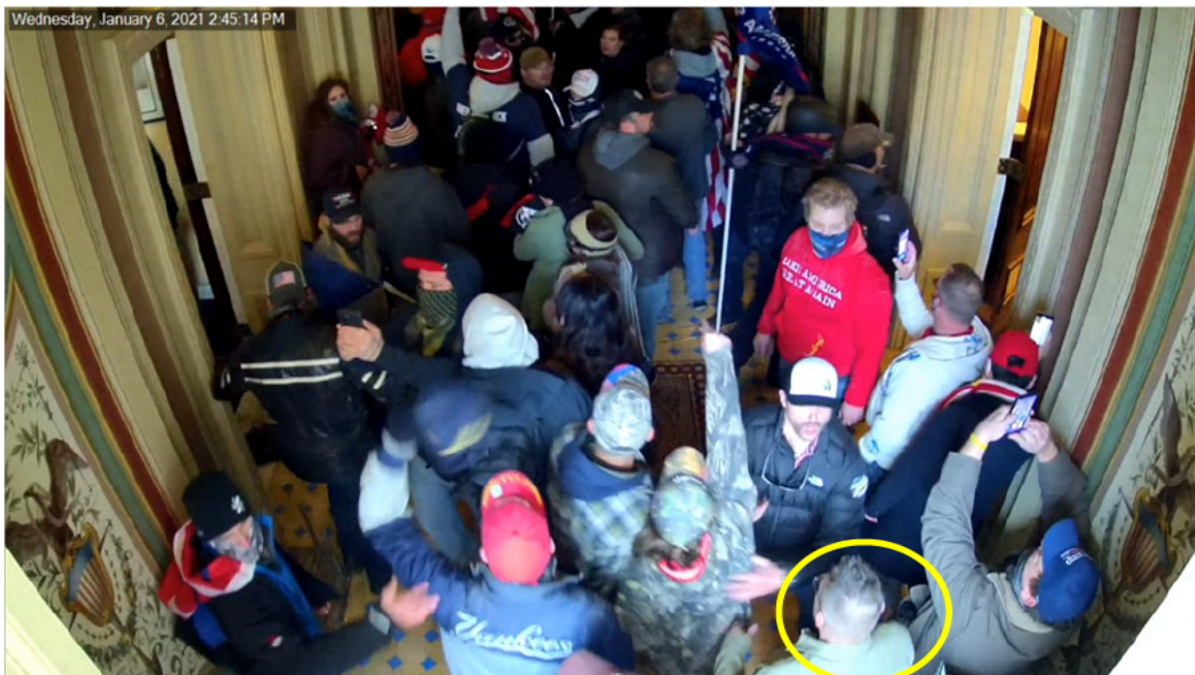


Image 6: CCTV footage screenshot of BRADLEY entering the Capitol building (BRADLEY circled in yellow)

Rioters, including BRADLEY, continued forward through the Capitol building, overtaking at least one police line. Based on my review of CCTV footage, BRADLEY exited the Capitol building at 2:52 p.m.

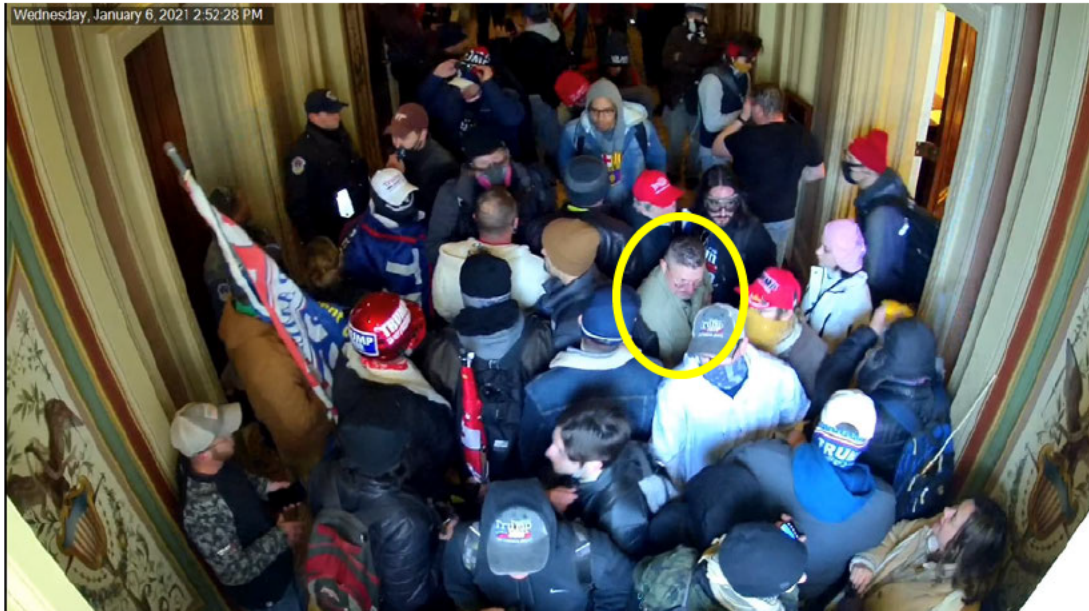


Image 7: CCTV footage screenshot of BRADLEY exiting the Capitol building (BRADLEY circled in yellow)

BRADLEY'S COMMUNICATIONS AFTER JANUARY 6, 2021

After January 6, BRADLEY had multiple conversations via Facebook messenger about his participation in the riot on January 6 at the Capitol building.

On January 7, 2021, BRADLEY stated on Facebook messenger, "My cousin and I are two of the first few inside the Capitol, everything was peaceful until they started shooting us with rubber bullets, cs gas, mace, pepper spray, & lots of flash bangs with cs & pepper spray." In the same conversation, BRADLEY stated, "Yes, us peaceful protesters are simply fed up with not being fulling represented, of course it's gonna be ugly, but it was NOT violent".

In another message exchange on January 7, BRADLEY stated, "They shot me multiple times, & sprayed me, & hit me in a couple flash bangs with cs, & Pepper spray 2 []".

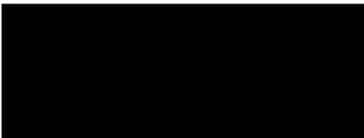
On January 8, 2021, BRADLEY stated "They're afraid of Patriots". In the same conversation, BRADLEY stated, "[] Got shot with rubber bullets, tear gassed, maced, pepper sprayed, hit with multiple pepper spray & tear gas flash bangs. I'm hurtin. . . . IT WAS WORTH IT! I was one of the first few hundred people to get inside the Capitol Building We were peacefully protesting. []" BRADLEY said, "It NEEDS to get BAD!!! It NEEDS to get REAL!!!"

On January 9, 2021, BRADLEY messaged another person on Facebook messenger, “I was one of the first few hundred inside the Capitol building, but it was peaceful, besides busting the door window to unlock the door, then We were inside chillin with the Capitol police”

PROBABLE CAUSE OF VIOLATIONS OF LAW

Based on the foregoing, your affiant submits that there is probable cause to believe that BRADLEY 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.

Finally, your affiant submits there is also probable cause to believe that BRADLEY 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.



Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 22nd day of August 2024.

Honorable G. Michael Harvey
U.S. MAGISTRATE JUDGE