

Statement of Facts

Your Affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”) and a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7). I am a Special Agent with the FBI and have been so since 2018. As a Special Agent, I am currently assigned to the [REDACTED] – Joint Terrorism Task Force (“FBI-JTTF”). As an FBI Special Agent, I have participated in investigations involving violations of various federal laws, including laws related to white collar crime, terrorism, drug trafficking, firearms, and other criminal activities. I have gained experience through training at the FBI Academy in Quantico, Virginia, and through everyday work conducting investigations. I am a federal law enforcement officer who is engaged in enforcing criminal laws, including violations of Title 18 of the United States Code. In addition to my regular duties, I am tasked with investigating criminal activity that occurred in and around the Capitol grounds 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 are allowed access inside the U.S. Capitol with the exception of specific areas that are open to the public. On January 6, 2021, the entire interior as well as the exterior plaza of the U.S. Capitol were 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, S.E., 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.

DICIOCCIO

Adrienna DICIOCCIO is a 32-year-old resident of the state of New York. As described in detail below, DICIOCCIO engaged in unlawful activity at the U.S. Capitol on January 6, 2021. As part of my investigation, I am familiar with the fact that the FBI, in conjunction with the U.S. Attorney's Office, interviewed DICIOCCIO on more than one occasion. During her interview, DICIOCCIO identified herself in multiple videos and images that showed DICIOCCIO inside the Capitol building on January 6, 2021.

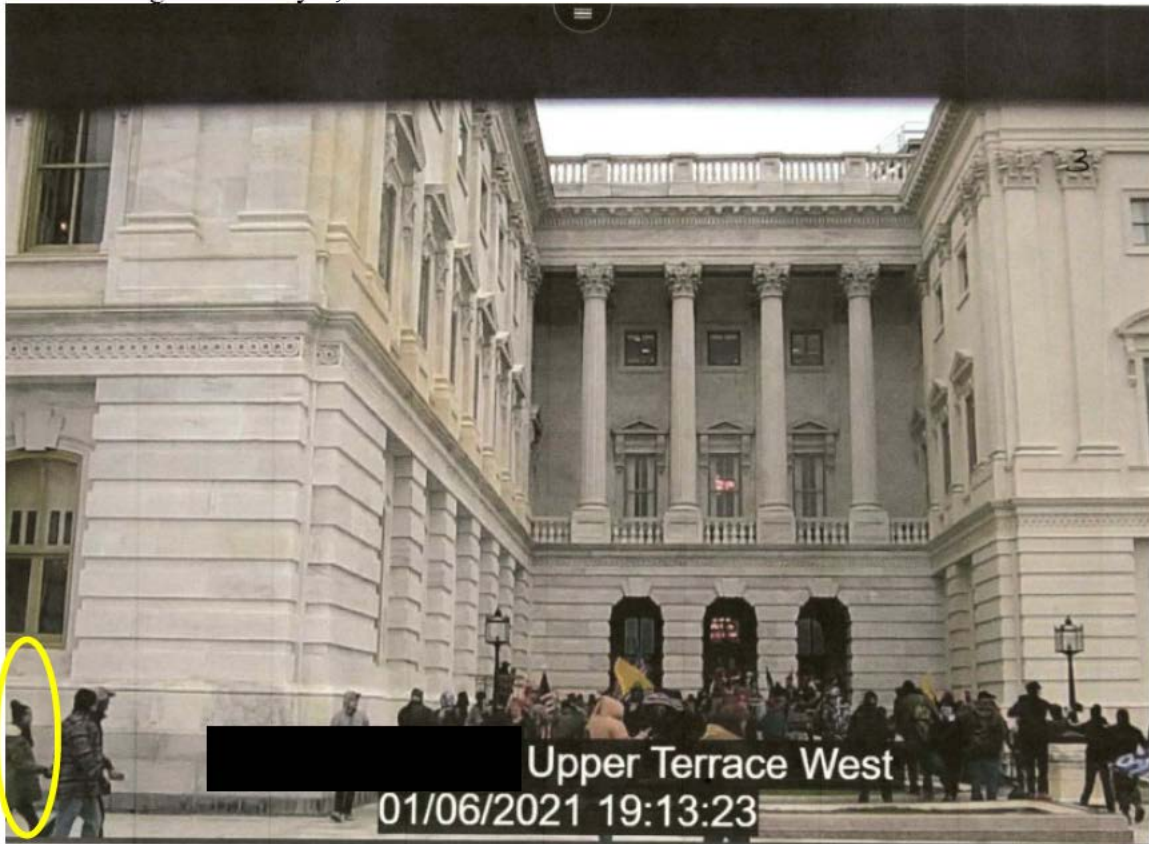


Image 1 (DICIOCCIO circled in yellow)

DICIOCCIO also confirmed that a specific phone number ending in 5278 (the “5278 Number”) was her phone number and she voluntarily gave her phone to the FBI and consented to its search.

DICIOCCIO'S ACTIVITIES LEADING UP TO JANUARY 6, 2021

DICIOCCIO was an active Parler user. Using the Internet Archive's "wayback machine," your affiant has reviewed postings by a Parler account with username "adriennausa" (the AdriennaUSA Account).¹ Public-facing posts by the AdriennaUSA Account are attributed to a user who refers to herself as "Adrienna DiCioccio" as can be seen in the Image 2. According to records lawfully obtained from the Parler search warrant, the user-provided name on the AdriennaUSA Account is "Adrienna DiCioccio ★★ ★." During an interview with the FBI, DICIOCCIO confirmed that the Parler account with the username "adriennausa" is her account.



Image 2

The AdriennaUSA Account on Parler voted² on other users' posts related to the certification of the 2020 election on January 6, 2021, and to the events planned for Washington, D.C. on January 6:

- In or around December 2020, the AdriennaUSA Account voted on multiple posts by Joseph Biggs³ that said, "I will not sit down, I will not shut up, I will not comply!"

¹ The Internet Archive functions to preserve certain publicly available internet pages at particular moments in time, i.e., it takes a snapshot of the appearance of a public-facing webpage. As a result, one can use the Internet Archive's "wayback machine" to retrieve website information from a particular time if a snapshot was taken of the particular public-facing webpage. I have been advised by other agents at the FBI that the Internet Archive employs a process that produces a historical snapshot that accurately records the content of publicly available web pages on the day that the snapshot was taken.

² Parler users can "vote" or "echo" the posts of other users whom they follow, functions that are comparable to Twitter's "like" and "retweet" functions.

³ Joseph Biggs was later convicted by jury trial of violating 18 U.S.C. § 2384, 18 U.S.C. § 1512(k), 18 U.S.C. § 1512(c)(2), 2, 18 U.S.C. § 372, 18 U.S.C. § 231(a)(3), 2, and 18 U.S.C. §

I am an American, and I'm sick of the corruption in this country!" and "Attn: DC ANTIFA. We will not be attending DC in colors. We will be blending in as one of you. You won't see us. You'll even think we are you. We are going to smell like you. Move like you and look like you. The only thing we will do that's us! Is think like us! Jan 6th is gonna be epic. Can't wait to walk around with you all.

Capitol building at approximately 2:12 PM. DICIOCCIO pointed towards the building, clapped, and put her fist in the air. Based on the CCTV footage, she reunited with Biggs and Rae and jumped into Rae's arms. Once reunited, they moved together towards the Senate Wing Door.

DICIOCCIO approached the Senate Wing Door on the west side of the Capitol building. Other rioters broke windows and forced open a door of the Capitol near the Senate Wing corridor at approximately 2:12 PM. DICIOCCIO approached the broken windows and the door. A video posted to Parler captured DICIOCCIO's entry into the building. In the video, a loud chirping alarm can be heard in the doorway. From just outside the doorway, prior to entering, DICIOCCIO can be heard saying, "are we all gonna get arrested?" Another woman's voice responded, "Yeah. I don't care, I don't care, Adrienna, this is our future." DICIOCCIO then entered the building through the door in alarm state. After entering the Capitol building, DICIOCCIO screamed, "1776 motherfuckers, this is our house."

As seen in CCTV, DICIOCCIO entered the building with Biggs, Rae and others at approximately 2:14 PM.

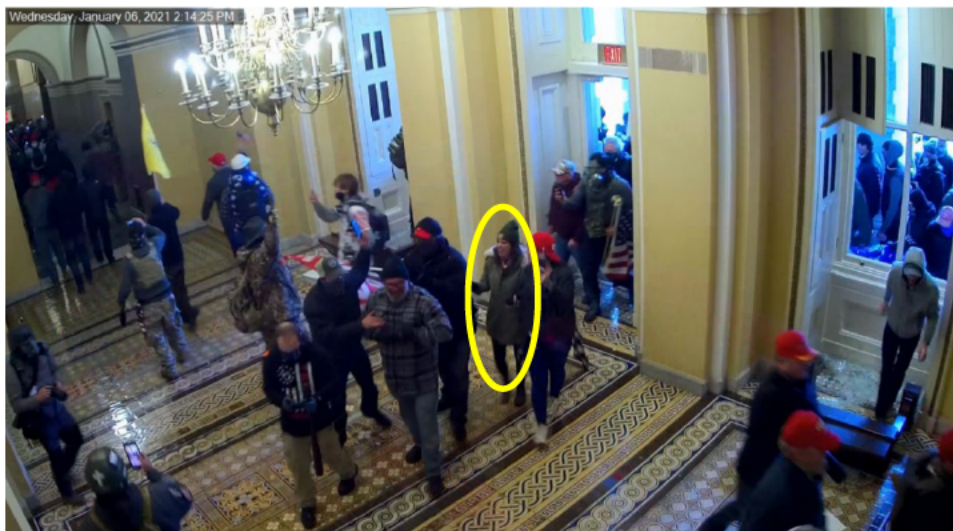


Image 3 (DICIOCCIO circled in yellow)

DICIOCCIO became separated from Biggs and Rae shortly after entering the building. DICIOCCIO and another individual entered the area known as the Crypt shortly after entering the Capitol building. Based on my review of CCTV and open-source video, when DICIOCCIO entered the Crypt, a line of law enforcement officers was holding the line trying to prevent rioters from getting further in the building. The rioters chanted, "our house." DICIOCCIO chanted "Our house" along with the crowd. Eventually, the rioters, including DICIOCCIO overtook the police line and went further in the building.

Based on review of CCTV, DICIOCCIO went up to the second floor of the Capitol building to an area known as the Rotunda. While in the Rotunda, DICIOCCIO chanted, yelled and gestured with others, including yelling out, "Patriots won't let this country fail."



Image 4 (DICIOCCIO circled in yellow)

In one video posted publicly to Parler, an individual picked up a phone in the area near the Rotunda and stated, “Can I speak to Pelosi? Yeah, we’re comin bitch, Oh Mike Pence, we’re coming to you too you fucking traitor.” Seconds later, the video panned to show DICIOCCIO. Moments later, a female voice off screen cheered in response, “Freedom!”

Eventually, additional law enforcement responded to the Rotunda, and law enforcement formed a line in the Rotunda and forced the rioters out the east side of the building.

Based on review of another open-source video, DICIOCCIO was shunted out of the East Rotunda Doors of the Capitol building. As she was being forced out of the building, DICIOCCIO joined others in the crowd chanting, “USA! USA! USA!”

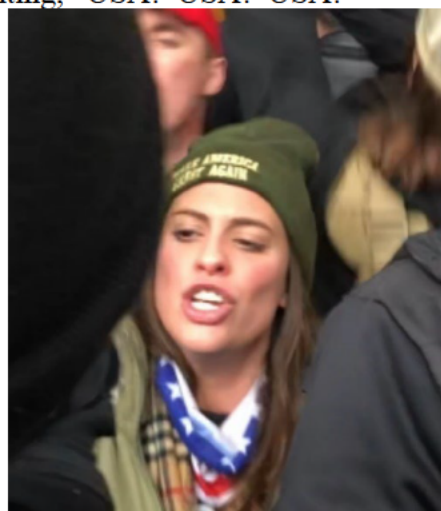


Image 5

DICIOCCIO exited the Capitol at approximately 3:12 PM. DICIOCCIO was unlawfully

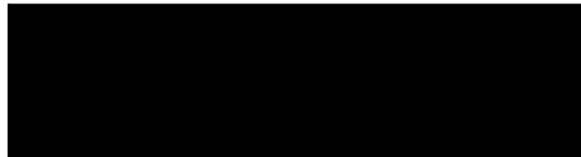
inside the Capitol building for approximately one hour.

At approximately 3:27 PM on January 6, 2021, DICIOCCIO sent a text message to a friend that read, “We stormed the capital”.

PROBABLE CAUSE OF VIOLATIONS OF LAW

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

Finally, your affiant submits that there is probable cause to believe that DICIOCCIO 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 20th day of September 2024.

HONORABLE G. MICHAEL HARVEY
UNITED STATES MAGISTRATE JUDGE