

## STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”) assigned to the Sacramento Field Office and has been so employed for over a decade. I received training at the FBI Academy in Quantico, Virginia, from October 2012 to March 2013. During my tenure with the FBI, I have worked in the areas of white-collar crime, domestic terrorism, counterintelligence, and violent crime. I have served as a Supervisory Special Agent at FBI Headquarters in Washington, D.C., and presently work on a violent crime squad in the Eastern District of California. Before joining the FBI, I practiced law for approximately five years. I am an “investigative or law enforcement officer” of the United States within the meaning of 18 U.S.C. § 2510(7), in that I am an officer of the United States empowered by law to conduct criminal investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516.

This affidavit is based upon my own personal knowledge but also information I have obtained from other law enforcement officers and/or third parties (for example, information from an FBI Intelligence Analyst and United Airlines). Where I describe statements made by other people, information contained in reports and/or other documents or records in this affidavit, that information is described in sum, substance, and relevant part. Where I quote portions of conversations, they are verbatim or near verbatim quotes. Where I insert images below, they are screen captures pertaining to the incident or evidence being described.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police (“USCP”). 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.

### **AFO # 292's Participation in the January 6th Riot**

Following the January 6, 2021 Capitol riot the FBI identified an unknown subject, AFO # 292. (“AFO” stands for “assault on a federal officer.”) Based on my review of video footage from the vicinity of the Capitol on January 6, 2021, AFO # 292 wore a navy-blue beanie with the letters “TRUMP” in white, a dark-colored hoodie with beige fleece-like lining and beige piping, blue jeans, a red neck buff, and what appeared to be a Timex Ironman watch. He also carried a dark-colored backpack. (*Image 1*)



*Image 1: AFO # 292 at the Capitol on January 6, 2021*

On the morning of January 6, 2021, AFO # 292 attended then-President Trump’s “Stop the Steal Rally” near the National Mall. (*Image 2*)



*Image 2: Excerpt from open-source footage of AFO # 292 (yellow box) near the Washington Monument.*

Following the rally, AFO 292 walked with the crowd along Pennsylvania Avenue to the Capitol. (Image 3).



*Image 3: Excerpt from open-source video footage showing AFO # 292 (yellow circle) travelling from the Stop the Steal Rally.*

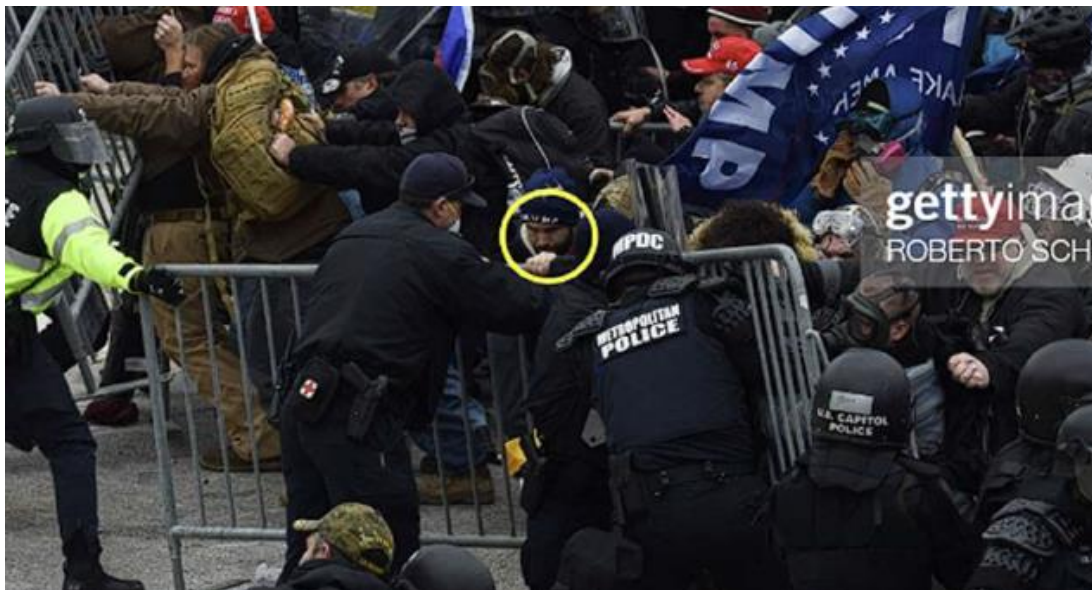
AFO # 292 initially arrived on the Capitol's West Front. He moved through the crowd to the front of the mob where police officers had arranged bicycle rack barricades near the Inaugural Stage. Open-source images and videos captured AFO # 292 directly in front of these barricades, adjacent to a media tower that had been erected for the upcoming presidential inauguration. At this

location, AFO # 292 joined other rioters in their attempts to bypass police and the barricades and physically interfered with officers as he attempted to breach the police line at this location. (Image 4)



*Image 4: AFO # 292 in front of the bike racks on the West Plaza*

Open-source footage captured AFO # 292 grabbing a bike rack at the front of the police line and wrestling it away from an officer. (Image 5)



*Image 5: Photograph showing AFO # 292 grabbing the barricade.*

At approximately 2:28 p.m., the police line on the West Plaza collapsed after rioters overcame officers, forcing officers to fall back toward the Capitol building. AFO # 292 surged forward with other rioters. During this surge, at approximately 2:29 p.m., open-source and body worn camera (“BWC”) captured AFO # 292 physically interacting with police officers.

AFO # 292 moved past the barricade and BWC captured AFO # 292 grabbing the right arm of Metropolitan Police Department (“MPD”) Officer D.H. during AFO # 292’s advance toward the Capitol building. (Image 6)



*Image 6: Excerpt from Officer D.H.’s BWC footage depicting AFO # 292’s right hand grabbing the right wrist of Officer D.H. during AFO # 292’s advance toward the Capitol building.*

As he moved past Officer D.H., AFO # 292 tripped and fell over a step. Another rioter shoved Officer D.H. backwards. One second later, a third rioter shoved a USCP officer backwards. As the officer moved backwards, he falls over the top of AFO # 292’s body on the ground.. (Image 7)



*Image 7: Excerpt from BWC depicting a USCP Officer falling over AFO # 292 (yellow arrow) on the ground.*

BWC footage captured AFO # 292 standing up moments later, turning towards Officer D.H. and lunging at him. (Images 8, 9, & 10). At least two officers, including Officer D.H., used their batons to repel AFO # 292.



*Image 8: Excerpt of BWC footage showing AFO # 292 lunging at MPD Officer D.H.*



*Image 9: Excerpt of BWC footage showing AFO # 292 (yellow arrow) lunging at MPD Officer D.H.*



*Image 10: Excerpt of BWC footage showing two Officers attempting to restrain AFO # 292 as he attacks Officer D.H.*

These actions by officers did not repel AFO # 292, who then proceeded to turn around and, with another rioter's assistance drove his back into Officer D.H., pushing him towards the Capitol and against the side of an elevated platform on the West Plaza. (Images 11 & 12) AFO # 292 eventually fell to the left side of Officer D.H. and, during the physical commotion of the assault, AFO # 292's blue hat fell off. BWC footage then captured AFO # 292 reaching towards MPD Sgt. P.R. before being grabbed by a USCP Officer.



*Image 11: Excerpt of BWC footage of AFO # 292 backing his body into Officer D.H.*



*Image 12: Excerpt of BWC footage of AFO # 292 after falling.*

As officers retreated, many of them gathered in a passageway that led from the Lower West Terrace – where the inaugural stage was being built – to the interior of the Capitol building (the “Tunnel”). Starting at approximately 2:40 p.m., USCP and MPD officers formed a police line in the Tunnel to prevent the mob from entering the Capitol building. At approximately 2:56 p.m., CCTV captured AFO # 292 at the mouth of the Tunnel wearing his blue “Trump” hat and red buff. (*Image 13*) As AFO # 292 entered the Tunnel, other rioters hurled objects at officers including a large construction marker. AFO # 292 immediately joined rioters in a coordinated effort to break through the police line by rocking their bodies and using their collective force to push against the officers in the line (a “heave ho,” after the phrase that many of the rioters chanted in order to synchronize their movements).





*Image 13: Excerpt of video footage showing AFO # 292 (yellow circle) entering the Tunnel.*

Outside the Tunnel, AFO # 292 briefly pulled down his buff and revealed his face. At approximately 2:58 p.m., he raised the buff and entered the Tunnel a second time. At approximately 3:00 p.m., AFO # 292 helped pass a police riot shield from the entrance of the Tunnel to rioters closer to the police line. (*Image 14*).



*Image 14: Still shot of video footage showing AFO # 292 passing a stolen police shield forward. AFO # 292 uses both hands to hold the police shield above his head and pass it to rioters closer to the police line.*

Two minutes later, AFO # 292 moved to the front of the crowd in the Tunnel directly adjacent to the police officers protecting the entryway in the Tunnel. At this location, he again

participated in a concerted “heave-ho” push by the mob. (*Image 15*). AFO # 292 participated in this coordinated push for several minutes. At approximately 3:05 p.m., AFO # 292 stopped shoving, turned around, and exited the tunnel.



*Image 15: Excerpt of video footage showing AFO # 292 participating in a “heave-ho” against police officers.*

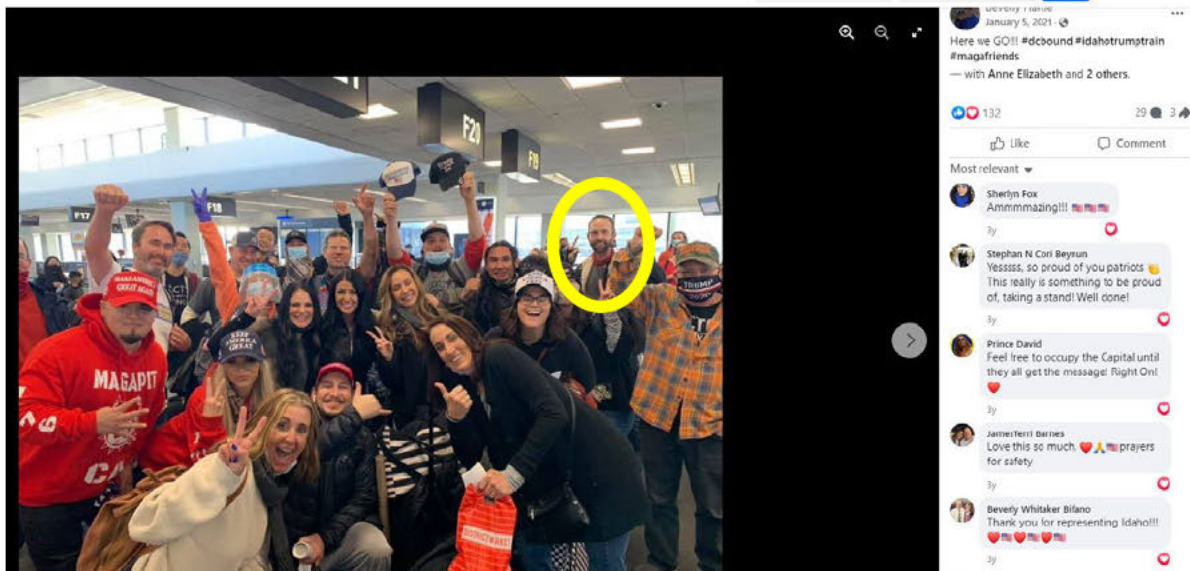
#### **Identification of DANE CHRISTOFFER THOMPSON**

Following the events of January 6, 2021, a third-party identified DANE CHRISTOFFER THOMPSON (“THOMPSON”) as AFO # 292 and provided a link to a website, (“Website-1”) that, based on my review, is used by the Thompson family to post Christmas newsletters and includes photographs from the family’s travels, including photographs of THOMPSON.

I obtained information from United Airlines indicating that on January 5, 2021, THOMPSON traveled aboard Flight 5820 from the Sacramento International Airport to the San Francisco International Airport (“SFO”), then from SFO to the Dulles International Airport outside Washington, D.C. aboard Flight 487. The Sacramento International Airport is the closest major airport to THOMPSON’s residence with the California Department of Motor Vehicles in Granite Bay, CA. I also obtained records from United Airlines indicating that THOMPSON left Washington, D.C. and returned to Sacramento on January 7, 2021, leaving Dulles International Airport on Flight 1140 to George Bush Intercontinental Airport in Houston, Texas, then on from Houston to Sacramento International Airport aboard Flight 1974.

This is consistent with social media images from January 5, 2021, such as the following which I obtained during this investigation depicting THOMPSON at SFO. (*Image 16*) That this image is of THOMPSON on January 5, 2021 is further corroborated by the #dcbound caption on the image and the comment by another Facebook user “Feel free to occupy the Capital [sic] until they all get the message! Right on!” I have reviewed a photograph that was posted on Website-1 which the accompanying text indicated was of THOMPSON in Las Vegas in January of 2021 (*Image 17*). THOMPSON’s appearance in that photograph strongly resembles his appearance at SFO in

Image 16, including his hairline and facial hair, as well as the red buff and hoodie with beige piping and fleece-like lining (*Images 16 & 17*).



*Image 16: THOMPSON (circled in yellow) at the SFO airport on January 5, 2021 (blown up below left)*



*Blown up portion of Image 16:  
THOMPSON at SFO Airport*



*Image 17: THOMPSON in Las Vegas in  
January of 2021*

I have also observed that, in Image 17, THOMPSON's wedding band is sitting a notable distance away from his third knuckle, in relatively close proximity to his second knuckle. This is consistent with images of AFO # 292 on January 6, 2021. (*Image 18*):



*Image 18: Image of AFO # 292 from BWC Footage on January 6, 2021*

Another image from Website-1 depicts THOMPSON wearing what appears to be a Timex Ironman watch, the same type of watch AFO # 292 appears to be wearing in BWC footage from January 6, 2021. (*Image 19*)



*Image 19: Image of THOMPSON taken from Website-1. THOMPSON's Timex Ironman watch is indicated by a yellow arrow.*



*Zoomed in portion of Image 19, depicting THOMPSON's Timex Ironman watch*



*Zoomed in portion of the watch depicted in Image 1, depicting AFO # 292's Timex Ironman watch*

In addition to the information received from United Airlines regarding the flights to and from Dulles International Airport on January 5, 2021 and January 7, 2021, United Airlines also

provided me with information indicating that THOMPSON traveled to or from the following places at the following times:

- 1) Frankfurt Airport (December 2023)
- 2) Vaclav Havel Airport Prague (December 2023)
- 3) Munich International Airport (December 2023)
- 4) Budapest Ferenc Liszt International Airport (December 2023)
- 5) Singapore Changi Airport (March 2024)
- 6) Kuala Lumpur International Airport (March 2024)
- 7) Hong Kong International Airport (March 2024)
- 8) Hong Kong International Airport (April 2024)

THOMPSON's wife maintains a blog that chronicles trips that the Thompson family took ("Website-2"). On Website-2, there are posts corresponding with these locations and mentioning that the family traveled via United Airlines.

On November 6, 2024, I attempted to interview THOMPSON at his residence in Granite Bay, California with one of my colleagues. After identifying ourselves, I asked THOMPSON if he had a couple of minutes to talk. THOMPSON said he did not. I advised THOMPSON that his name came up in connection with the January 6 case and asked if he was sure he could not take approximately five to ten minutes to speak with me and my partner. THOMPSON responded, "No. I don't want to talk." I then asked THOMPSON if he was indicating that he did not want to talk at all (as opposed to at that time), to which THOMPSON replied: "Ah, yeah." I then asked if THOMPSON would say whether he was in Washington D.C. on January 6, to which he responded: "Um, I would, I would just like you guys to, uh, please exit my property." I wished Thompson a good evening and my partner and I left THOMPSON's residential lot. The entire conversation lasted approximately 50 seconds.

Based on the totality of my investigation in this matter – including the review of information obtained from United Airlines, video/images from the U.S. Capitol, images of THOMPSON from social media and on the internet, and my attempted interview of THOMPSON at his residence – I assert that THOMPSON is AFO # 292, and committed the conduct depicted above.

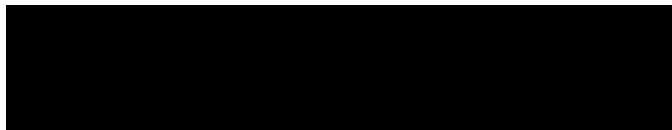
Based on all of the above, your affiant submits there is probable cause to believe that DANE CHRISTOFFER THOMPSON violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of Title 18 while engaged in or on account of the performance of official duties, where such acts involve physical contact with the victim or the intent to commit another felony. Persons designated within section 1114 of Title 18 include federal officers such as USCP officers, and include any person assisting an officer or employee of the United States in the performance of their official duties.

I also submit there is probable cause to believe that DANE CHRISTOFFER THOMPSON 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.

I further submit there is probable cause to believe that DANE CHRISTOFFER THOMPSON violated 18 U.S.C. §§ 1752(a)(1), (2), and (4) which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; (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; (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempt or conspire 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.

In addition, I submit there is probable cause to believe that DANE CHRISTOFFER THOMPSON violated 40 U.S.C. §§ 5104(e)(2)(D) and (F) which makes it a crime to willfully 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.



FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 21st day of November 2024.

---

HONORABLE G. MICHAEL HARVEY  
U.S. MAGISTRATE JUDGE