

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Devin Steiner, (DOB: XXXXXXXXX)
Adam Miller, (DOB: XXXXXXXXX)
Defendant(s)

Case: 1:22-mj-00113
Assigned to: Judge Meriweather, Robin M.
Assign Date: 5/19/2022
Description: COMPLAINT W/ ARREST WARRANT

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1752(a)(1), 18 U.S.C. § 1752(a)(2), 40 U.S.C. § 5104(e)(2)(C), 40 U.S.C. § 5104(e)(2)(D), and 40 U.S.C. § 5104(e)(2)(G).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Matthew Komar

Complainant's signature

Matthew Komar, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 05/19/2022



Handwritten signature of Robin M. Meriweather

2022.05.19

15:31:38 -04'00'

Judge's signature

City and state: Washington, D.C.

Robin M. Meriweather, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, Matthew Komar, is a Special Agent assigned to FBI Cleveland Division, Canton Resident Agency. In my duties as a Special Agent, I investigate violations of federal law, including human trafficking and other crimes. Currently, I am tasked with, among other things, investigating criminal activity in and around the 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, 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 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.

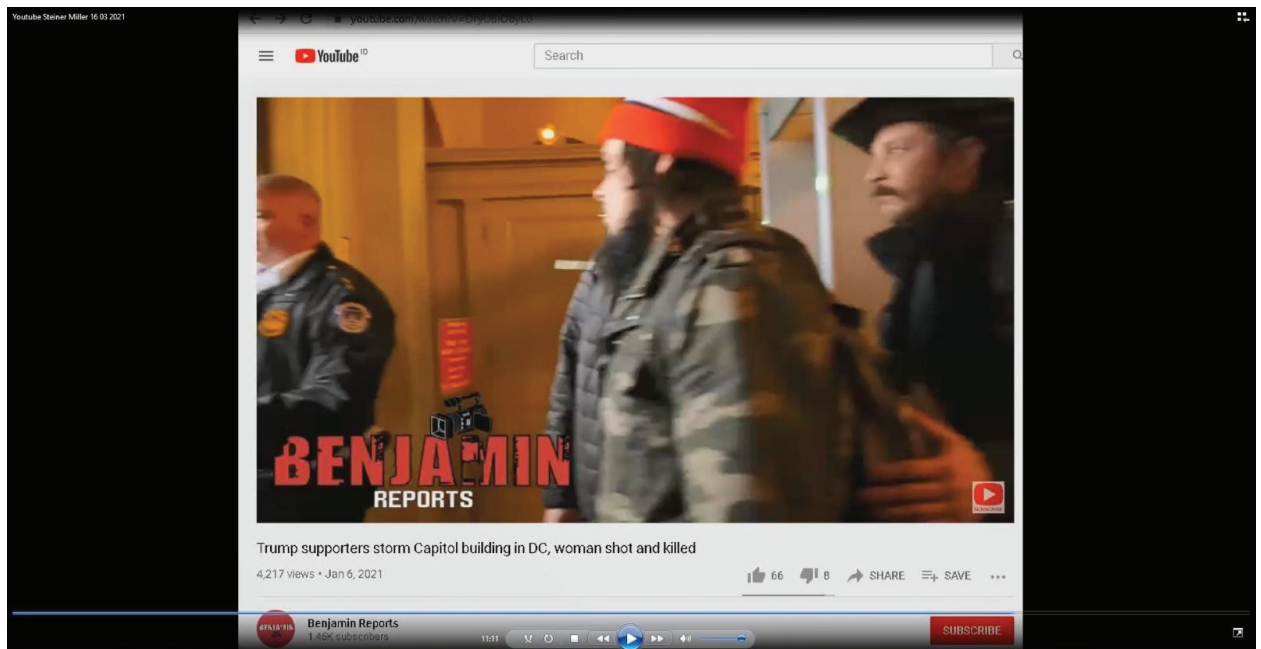
During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On or about January 26, 2021, the Government received an anonymous online tip that DEVIN STEINER participated in the riot at the U.S. Capitol on January 6, 2021. The tip provided STEINER's address as 1034 N. Bever Street, Wooster, Ohio.

Your affiant reviewed a video of footage from the U.S. Capitol Building on January 6, 2021, which is posted on a YouTube Channel named "Benjamin Reports." At approximately 26:20 of the video, U.S. Capitol Police are seen asking people inside the U.S. Capitol to leave through what is believed to be an "Upper House Door." At approximately 27:25 of the video, an individual believed to be STEINER is observed walking towards the Upper House Door to exit the U.S. Capitol Building. The individual is wearing a camouflage jacket, a red, white and blue winter beanie hat with the word "TRUMP" and a circular patch with the number "45," and a light brown colored JanSport backpack. Another male, believed to be DEVIN STEINER's brother-in-law, ADAM MILLER, is walking behind STEINER, and the two individuals appear to be together. The individual believed to be ADAM MILLER is wearing a black jacket, a dark colored backpack and a cowboy hat, with what appears to be an American flag printed on the top as the upper portion of the cowboy hat is blue or brown with stars. Seconds later, MILLER and STEINER are seen re-entering the U.S. Capitol Building. **Image 1** below is a screenshot of MILLER and STEINER from the Benjamin Reports video.

Image 1



Your affiant reviewed surveillance video recorded inside the U.S. Capitol Building and identified numerous additional images of MILLER and STEINER together at various locations inside the U.S. Capitol Building between approximately 2:19 pm and approximately 2:54 pm.

Images 2 and 3 capture MILLER and STEINER entering the Capitol through a location known as the Senate Wing Door at approximately 2:19 pm. At the time that MILLER and STEINER entered through the Senate Wing Door, windows on both sides of the door had been smashed by rioters. MILLER and STEINER walked right past the smashed glass, appeared to observe the smashed glass, and then continued into the Capitol. (Red circling has been added to identify MILLER and STEINER in the crowds and to identify the smashed glass on the floor.)

Image 2



Image 3



Images 4, 5, and 6 below capture MILLER and STEINER passing through a location referred to as the “H227 Hallway” at approximately 2:34 pm; passing through a location referred to as the “Main Door Hall near H208” at approximately 2:42 pm; and passing through a location referred to as the “Upper House Door Interior” at approximately 2:48 pm. (Red circling has been added to identify MILLER and STEINER in the crowds.)

Image 4

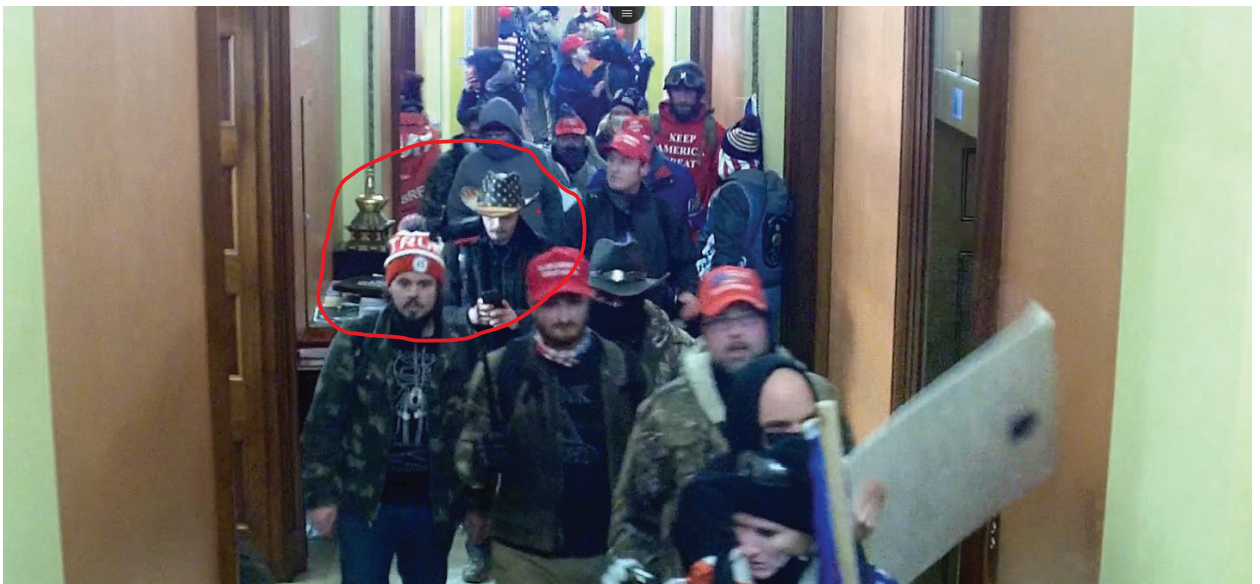


Image 5

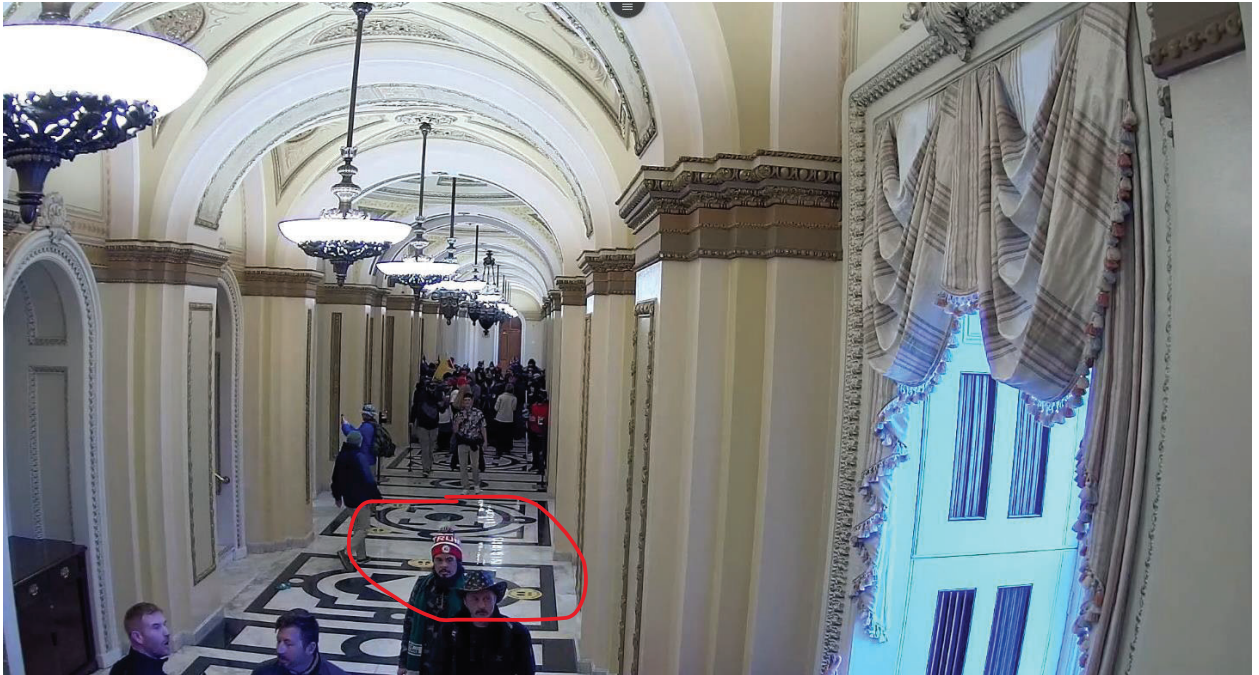


Image 6



Your affiant corroborated the identities of STEINER and MILLER by obtaining the following information. On or about March 15, 2021, I met STEINER at his residence at 1034 North Bever Street, Wooster, Ohio. Based on my in-person observations of STEINER and review of the above-described videos, STEINER appears to be the same person as the person in the red “Trump” beanie and camouflaged jacket described above. STEINER declined to speak about the events of January 6, 2021, and the interview was terminated.

On or about April 8, 2021, your affiant, together with FBI agents, executed a search and seizure warrant at 1034 North Bever Street, Wooster, Ohio. Among the items seized were a red “Trump” beanie, a camouflage jacket, and a JanSport backpack matching those observed in the videos described above. Also seized was an iPhone (the “STEINER IPHONE”). During the execution of the search, STEINER provided the FBI with the access code to the STEINER IPHONE. Your affiant subsequently reviewed the STEINER IPHONE for evidence of crimes related to STEINER’s participation in the riot at the U.S. Capitol Building.

The evidence obtained from the STEINER IPHONE includes the following: At approximately 1:46pm on January 6, 2021, a message from the STEINER IPHONE stated, “Storming the capitol building with hundreds of thousands !”. At approximately 1:52 pm on January 6, 2021, a video recorded on the STEINER IPHONE shows a group of people walking toward the U.S. Capitol Building, and MILLER appears to be in the video. On January 9, 2021, the STEINER IPHONE had the following exchange with PERSON 1:

PERSON 1: Wanna hang out tomorrow night?
STEINER: I’d love to but I’m laying low for awhile.
PERSON 1: Worried about the law Coming after you?
STEINER: Mmmhmm

On January 22, 2021, the STEINER IPHONE sent the following picture (**Image 7**) to group conversation involving a phone number associated with MILLER (as described further below) and four other individuals:

Image 7



Based on my in-person interaction with STEINER, my seizure of various items at STEINER's residence, and my review of the above-described videos, **Image 7** appears to an image of STEINER wearing the same hat and jacket that he wore inside the U.S. Capitol Building on January 6, 2021, which was sent to a group including the same individual, MILLER, with whom he entered the U.S. Capitol.

Your affiant also compared search warrant data returns from Google, T-Mobile, Sprint, AT&T and Verizon for the U.S. Capitol Event on January 6, 2021. The phone number of the STEINER IPHONE (ending in 3654) was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol Building.

Regarding ADAM MILLER, on or about March 15, 2021, your affiant spoke to PERSON 2, a relative of ADAM MILLER who informed your affiant that he believed MILLER had travelled to Washington, DC for the protest on January 6, 2021. PERSON 2 further stated that MILLER had been following Qanon theories before January 6, 2021. (PERSON 2 stated that PERSON 2 was unaware as to whether STEINER had travelled to Washington DC with MILLER.) PERSON 2 provided a telephone number for MILLER, ending in 0119, which was found to have had communications with STEINER in the STEINER IPHONE, including the communication in which STEINER texted to a group the picture of himself in **Image 7**.

Further, on or about February 14, 2022, your affiant spoke with PERSON 3, who reported having made a call to the FBI to anonymously report that MILLER had been inside the U.S. Capitol on January 6, 2021. PERSON 3 described knowing MILLER personally and stated that MILLER was a friend of PERSON 3's sibling. PERSON 3 stated MILLER has not hidden the fact that he entered the U.S. Capitol Building on January 6, 2021. PERSON 3 was shown pictures of the individual described above wearing a dark coat and cowboy hat with stars on it inside the U.S. Capitol. PERSON 3 identified the individual as MILLER.

Your affiant also compared search warrant data returns from Google, T-Mobile, Sprint, AT&T and Verizon for the U.S. Capitol Event on January 6, 2021. The phone number identified as MILLER's phone number (ending in 0119) was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the U.S. Capitol Building.

Based on the foregoing, your affiant submits that there is probable cause to believe that DEVIN STEINER and ADAM MILLER 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.

Your affiant submits there is also probable cause to believe that DEVIN STEINER and ADAM MILLER violated 40 U.S.C. § 5104(e)(2)(C)(D)(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 Matthew Komar
FEDERAL BUREAU OF
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 19th day of May 2022.



2022.05.19

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HONORABLE ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE