

Case: 1:24-mj-00054  
Assigned To : Harvey, G. Michael  
Assign. Date : 2/9/2024  
Description: Complaint W/ Arrest Warrant

## STATEMENT OF FACTS

Your affiant, [REDACTED], is a Pennsylvania State Trooper assigned to the FBI Joint Terrorism Task Force. In my duties as a Task Force Officer, I investigate violations of federal law involving different radicalized groups as well acts of terrorism both foreign and domestic. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a 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 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.

#### Identification of Matthew Valentin

Since January 6, 2021, the FBI has been investigating and identifying those who were inside of the Capitol without authority and disrupted the proceedings. The FBI preliminary identified the individual in the images below as “#336 – AFO”:



*Images 1 (left) and 2 (right): depicting the individual identified as “336 – AFO”*

#336 AFO is wearing a grey hooded sweatshirt, camouflauge pants, a black vest, and a grey knit hat.

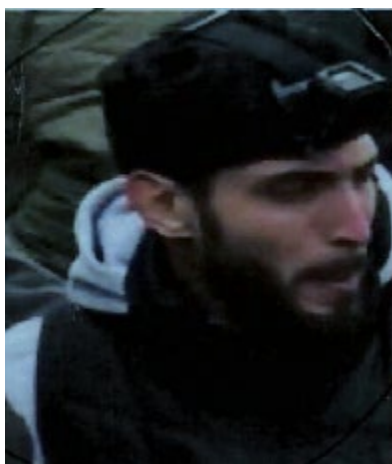
In an open source video that appears to be near the Peace Monument in Washington, D.C., the same individual identifies himself as “Matthew” from “MAGAsylvania.” I understand “MAGAsylvania” to be a reference to Pennsylvania.



*Image 3: Screenshot from open source video<sup>1</sup> showing #336 – AFO (circled in yellow) who identifies himself as “Matthew” from MAGAsylvania”*

According to records with the Pennsylvania Department of Motor Vehicles, Matthew Valentin resides at a specific address in Stroudsburg, Pennsylvania. I reviewed a Facebook profile associated with the name “Matthew Valentin” and it appears consistent with the individual depicted in Images 1, 2, and 3. I have reviewed Matthew Valentin’s driver’s license image and, based upon my review, believe “336 AFO” to be Matthew Valentin.

On June 8, 2023, I interviewed Person 1 who has a personal relationship with Matthew Valentin and has personally interacted with Matthew Valentin many times. Person 1 stated that Matthew Valentin was at the Capitol on January 6, 2021. I showed Person 1 Image 4 (below), and she advised that it appeared to be Mathew Valentin “for sure.”

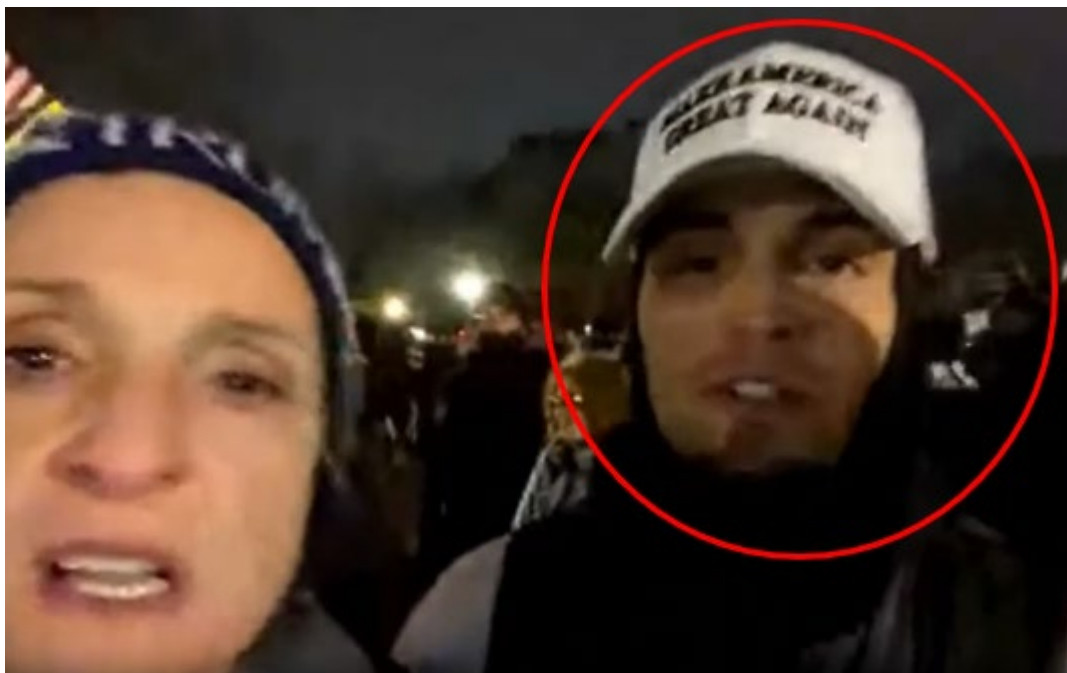


*Image 4: Image of 336 AFO*

<sup>1</sup> <https://ia904507.us.archive.org/18/items/jxaJRzTLzcM7bXxj4/jxaJRzTLzcM7bXxj4.mpeg4>, at 1:05.

Identification of Andrew Valentin

In the same open source video where Matthew Valentin identifies himself as “Matthew” from “MAGAsylvania,” another individual identifies himself as Matthew Valentin’s brother. That individual is wearing a white baseball cap with “Make America Great Again” written on it, a black vest, with a white shirt underneath.



*Image 5: Screenshot from open source video<sup>2</sup> showing an individual (circled in red) who identifies himself as Matthew Valentin’s brother*

On November 16, 2023, I spoke to Person 1. Person 1 previously worked with Andrew Valentin. I showed Person 1 Image 6 (below), and Person 1 identified the individual circled in red in Image 6 as Andrew Valentin.

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<sup>2</sup> <https://ia904507.us.archive.org/18/items/jxaJRzTLzcM7bXxj4/jxaJRzTLzcM7bXxj4.mpeg4>, at 1:52.



*Image 6: Open source image<sup>3</sup> showing Matthew Valentin (circled in yellow) and Andrew Valentine (circled in red)*

Matthew Valentin and Andrew Valentin Walk to the Capitol on January 6, 2021

Based upon my review of open-source video, I have determined that Matthew Valentin and Andrew Valentin gathered on near the Washington Monument along with other supporters of the former President. Matthew and Andrew Valentin then walked along Constitution Avenue towards the Capitol.

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<sup>3</sup> <https://archive.org/details/7CMF3xrKdPoPb8yDu/7CMF3xrKdPoPb8yDu.jpg>.



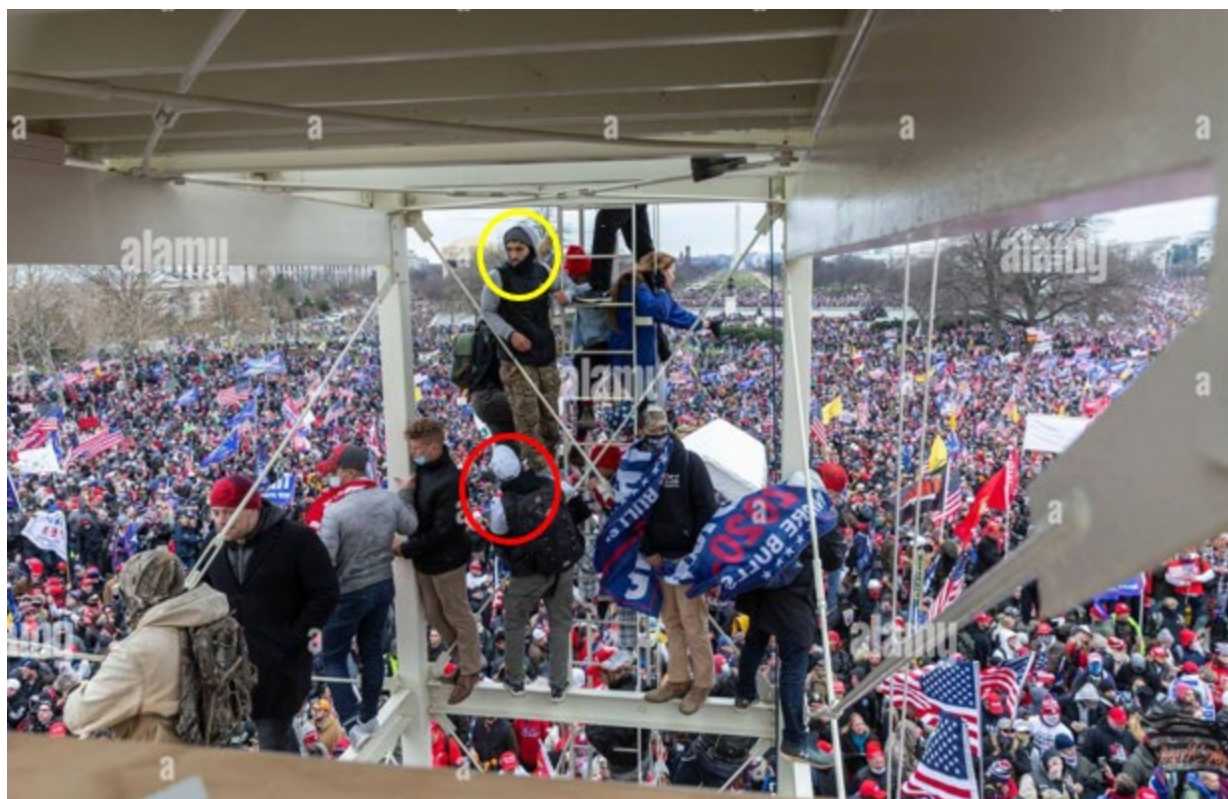


*Image 7: Screenshot from open-source video<sup>4</sup> showing Matthew Valentin (circled in yellow) and Andrew Valentin (circled in red) walking on Pennsylvania Avenue*

In Image 7, Matthew Valentin can be seen wearing a gray hat, black vest, gray hoodie, camouflaged pants, and a black backpack, consistent with the items worn in Images 1, 2, and 3, above. Andrew Valentin can be seen wearing a white baseball cap, black vest, white t-shirt with a long-sleeve black shirt underneath, dark khaki pants, and a black backpack, consistent with the items worn in Images 5 and 6, above.

An open-source image shows Matthew Valentin and Andrew Valentin both went to the West Plaza of the Capitol Grounds and then climbed media tower that had been erected there.

<sup>4</sup> <https://archive.org/details/3TKgWHo9EdCFx8mEp>, at 12:50.



*Image 8: open-source image<sup>5</sup> showing Matthew Valentin (circled in yellow) and Andrew Valentin (circled in red) climbing on the media tower on Capitol grounds.*

An open source video shows Matthew Valentin on the media tower from a different angle:

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<sup>5</sup> <https://www.alamy.com/washington-dc-united-states-06th-jan-2021-pro-trump-protesters-seen-on-and-around-capitol-building-in-washington-dc-on-january-6-2021-rioters-broke-windows-and-breached-the-capitol-building-in-an-attempt-to-overthrow-the-results-of-the-2020-election-police-used-buttons-and-tear-gas-grenades-to-eventually-disperse-the-crowd-rioters-used-metal-bars-and-tear-gas-as-well-against-the-police-photo-by-lev-radinsipa-usa-credit-sipa-usaalamy-live-news-image396851292.html>



*Image 9: screenshot from open-source video<sup>6</sup> showing Matthew Valentin (circled in yellow) on the media tower on Capitol grounds.*

A few seconds later, the video shows the scaffolding near the inaugural stage:



*Image 10: screenshot from open-source video<sup>7</sup> seconds after showing Matthew Valentin climbing on the media tower on Capitol grounds showing rioter standing on the scaffolding facing the crowd holding his arms up with portions of the tarp covering the scaffolding torn down*

<sup>6</sup> <https://archive.org/details/3rb3LhbW8eNmWvPHi>, at 5:46.

<sup>7</sup> <https://archive.org/details/3rb3LhbW8eNmWvPHi>, at 6:00.



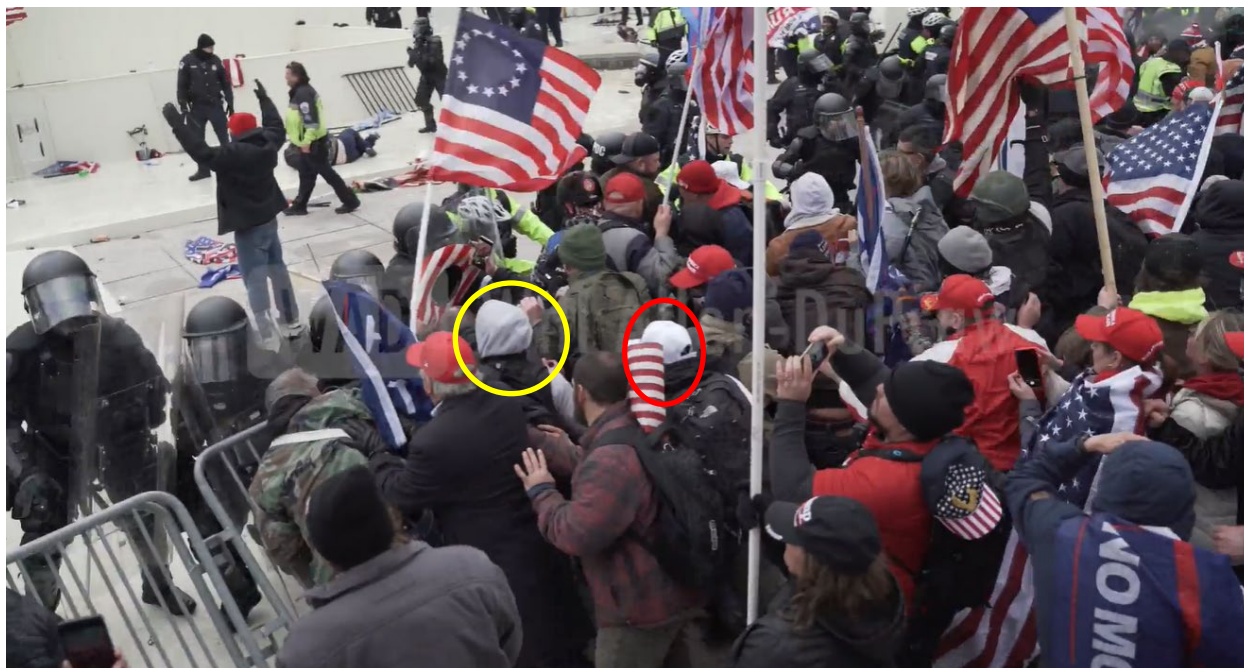
By comparing that video to CCV footage, which is timestamped with the accurate time on January 6, I was able to determine that Matthew Valentin and Andrew Valentin were on the media tower at approximately 2:14 p.m.



*Image 11: screenshot from CCV footage from January 6, 2021, at approximately 2:14 p.m. showing a rioter (circled in green) standing on the scaffolding facing the crowd holding his arms up with portions of the tarp covering the scaffolding torn down*

#### Matthew Valentin and Andrew Valentin Push a Bike Rack Barricade Into Officers

At approximately 2:28 p.m., the crowd rushed the police line on the West Plaza. Open source video shows that both Matthew Valentin and Andrew Valentin rushed the police line while rioters are yelling “push push push”:



*Image 12: Screenshot from open-source video<sup>8</sup> showing Matthew Valentin (circled in yellow) and Andrew Valentin (circled in red) rushing the police line on the West Terrace*

Body camera footage shows this incident from another angle. At approximately 2:29 p.m., Andrew Valentin is visible pushing the bike rack into officers:

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<sup>8</sup><https://www.dropbox.com/s/pvcywrok9qb30v4/Will%20AllenDuPraw%20All%20Footage%20watermarked%20part%201.mp4?dl=0> at 9:04.



*Image 13: Screenshot from body worn camera showing Andrew Valentin (circled in red) pushing a bike rack into a line of police officers.*

Andrew Valentin's hat falls off during the altercation and, a second later, Matthew Valentin is visible pushing the bike rack into officers:

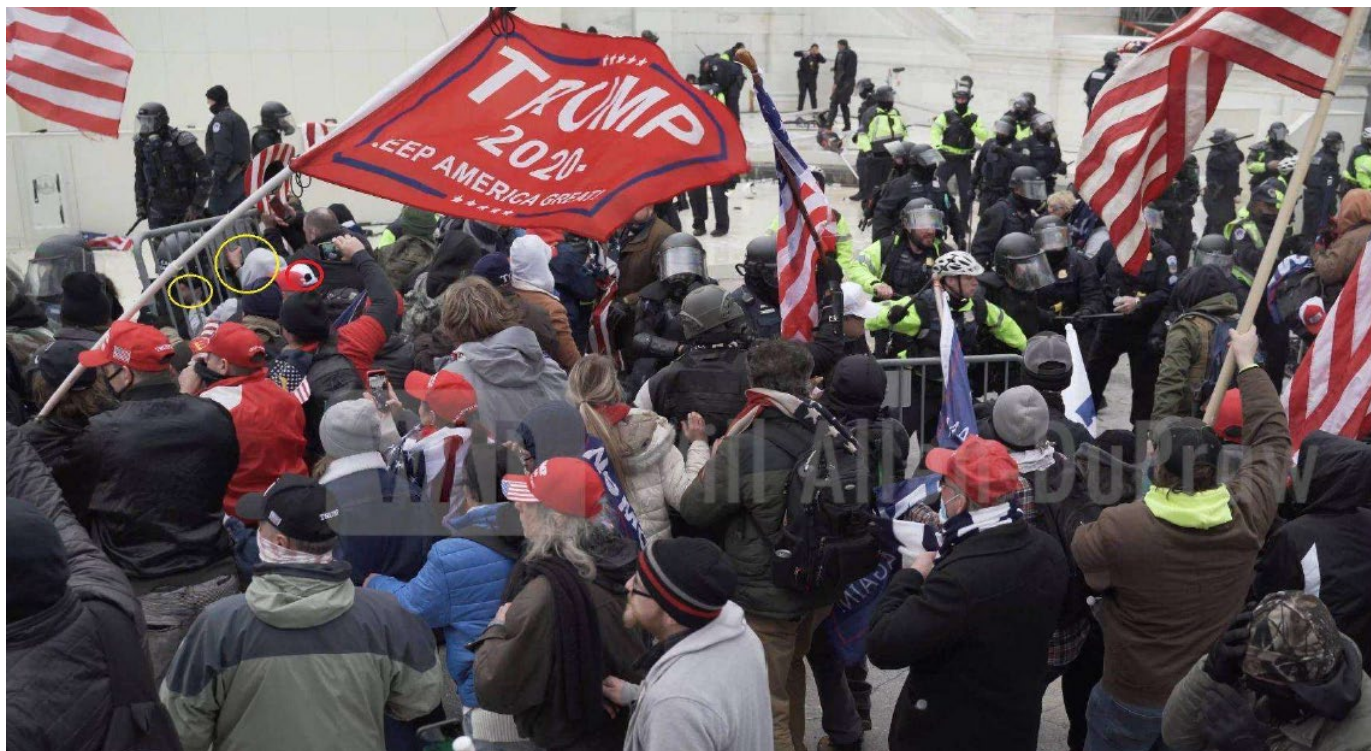




*Image 14: Screenshot from body worn camera showing Matthew Valentin (circled in yellow) pushing a bike rack into a line of police officers.*

Open source video shows that Matthew Valentin reached his hand through the bike rack and grabbed a U.S. Capitol Police Officer:





*Image 15: Screenshot from open-source video<sup>9</sup> showing Matthew Valentin (hands circled in yellow) grabbing a Capitol Police Officer. Andrew Valentin (hat circled in red) is nearby.*



*Image 15a: Portion of Image 15 enlarged showing Matthew Valentin grabbing a Capitol Police Officer*

After the crowd rushed the line, police fell back and formed a new protective line on the south side of the West Plaza. As members of the mob continued to advance on and assault police, Andrew Valentin took out a cellphone and appears to have recorded the scene:

<sup>9</sup><https://www.dropbox.com/s/pvcywrok9qb30v4/Will%20AllenDuPraw%20All%20Footage%20watermarked%20part%201.mp4?dl=0> at 9:12.



*Image 16: Screenshot from open source video<sup>10</sup> showing Andrew Valentin (circled in red) using his cellphone*

Matthew Valentin Sprays a Chemical Irritant at a Line of Officers

Body camera footage shows that Andrew Valentin approached the line of officers at approximately 2:33 p.m..

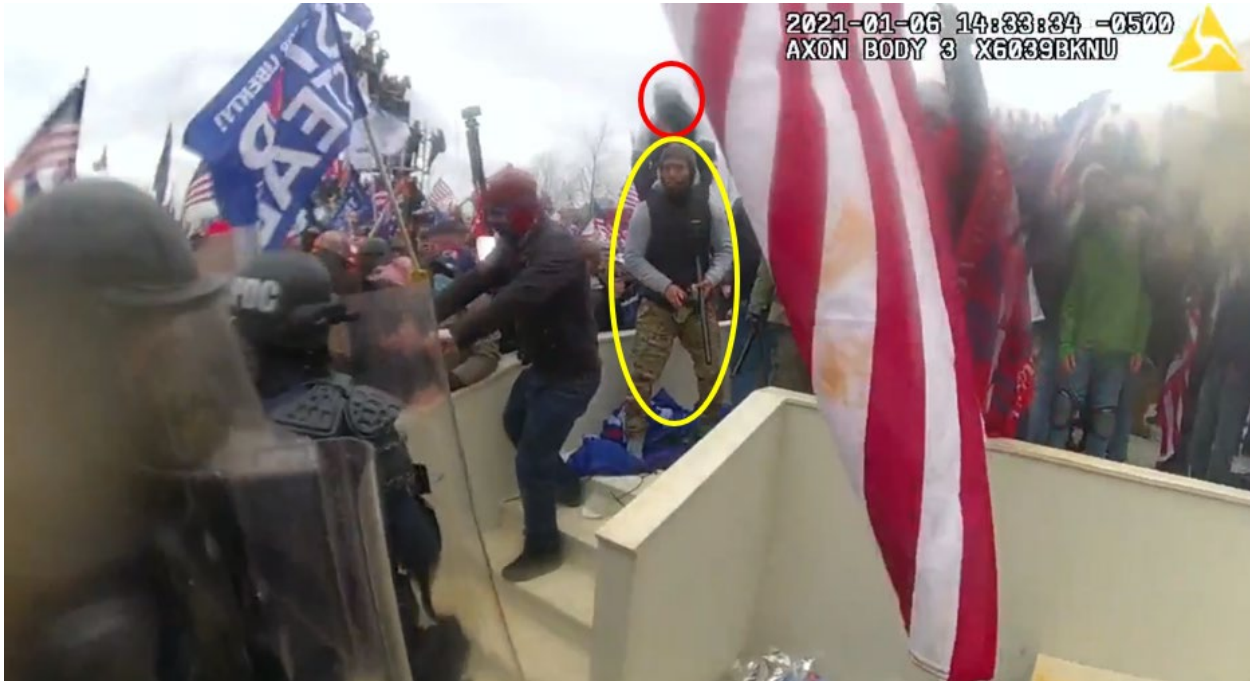


*Image 17: Screenshot from body worn camera showing Andrew Valentin (circled in red) near a line of officers on the West Plaza*

Body camera footage shows that Matthew Valentin approached the line of officers shortly after his brother. Matthew Valentin, appears to be holding a baton in one hand and a spray canister in the other:

<sup>10</sup> [https://capitol-hill-riots.s3.us-east-1.wasabisys.com/User%20Submissions%20-%20UNSORTED/Content/Youtube\\_video\\_0zyjCvDN4Ig%26t%3D2s\\_Channel\\_UCBJv3HTbI16szVvaPJ\\_z1UQ\\_WARNING\\_%20GRAPHIC%20CONTENT\\_%20RAW%20FOOTAGE%20OF%20THE%20CAPITOL%20YESTERDAY%20-%20THIS%20IS%20WHAT%20REALLY%20HAPPENED.mp4](https://capitol-hill-riots.s3.us-east-1.wasabisys.com/User%20Submissions%20-%20UNSORTED/Content/Youtube_video_0zyjCvDN4Ig%26t%3D2s_Channel_UCBJv3HTbI16szVvaPJ_z1UQ_WARNING_%20GRAPHIC%20CONTENT_%20RAW%20FOOTAGE%20OF%20THE%20CAPITOL%20YESTERDAY%20-%20THIS%20IS%20WHAT%20REALLY%20HAPPENED.mp4) at 45:00





*Image 18: Screenshot from body worn camera showing Andrew Valentin (circled in red) and Matthew Valentin (circled in yellow) near a line of officers on the West Plaza. Matthew Valentin holds a spray canister in one hand and a baton in the other.*

Less than one minute later, Matthew Valentin sprayed what appears to be a chemical irritant into the line of officers.



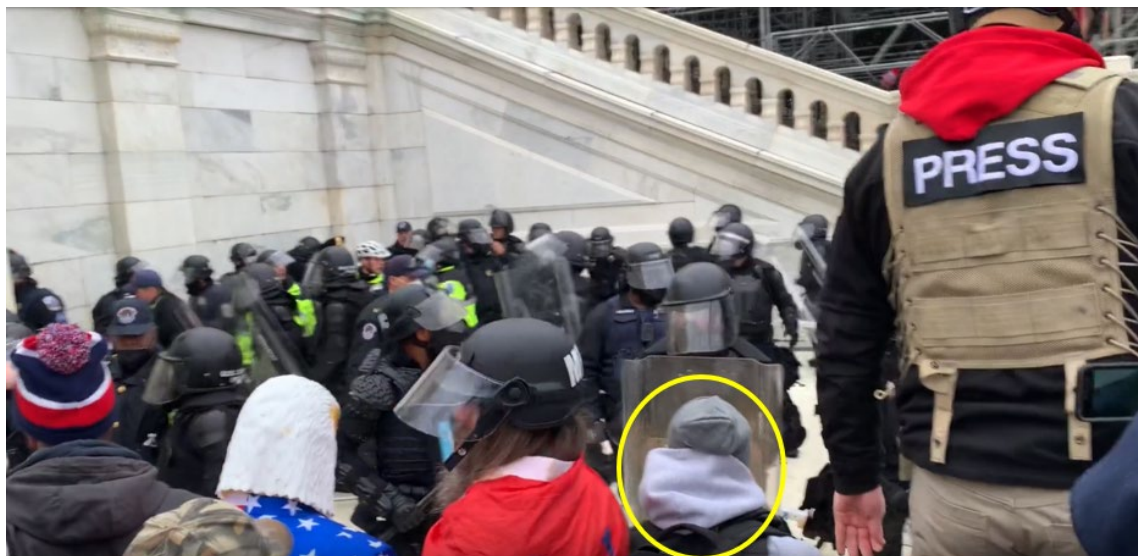
*Image 19: Screenshot from body worn camera showing Matthew Valentin (circled in yellow) spraying what appears to be a chemical irritant at police officers*

Another officer's body worn camera footage shows Matthew Valentine spraying the cannister from another angle:



*Image 20: Screenshot from body worn camera showing Matthew Valentin (circled in yellow) spraying what appears to be a chemical irritant at police officers*

One open source video shows Matthew Valentin appearing to yell at the line of officers while on the West Plaza.



*Image 21: Screenshot from open source video<sup>11</sup> showing Matthew Valentin (circled in yellow) near officers on the West Plaza*

<sup>11</sup> <https://web.archive.org/web/20210110213019/https://video.parler.com/Sv/hd/SvhdLOX60Osw.mp4> at 00:13.



Another open source video shows Matthew Valentin rinsing his eyes out with water on the West Plaza. I know based on my training and experience that people flush their eyes out with water after being hit with a chemical irritant to minimize the effects of the irritant.



*Image 22: Screenshot from open source video<sup>12</sup> showing Matthew Valentin (circled in yellow) near officers on the West Plaza*

Law enforcement retreated from the West Plaza, and Matthew Valentin took out his cellphone and appears to have recorded the scene:

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<sup>12</sup> <https://www.youtube.com/watch?v=LduLMjy5HRc&t=806s> at 13:27.



*Image 23: Screenshot from open source video<sup>13</sup> showing Matthew Valentin (circled in yellow) using his cellphone*

Based upon my review of open source videos, I have observed that Matthew Valentin and Andrew Valentin made their way to the vicinity of the terrace on the west side of the Capitol building where a stage for the Presidential Inauguration was being constructed. They briefly positioned themselves close to the arched entrance to a passageway that connects the Lower West Terrace and the interior of the U.S. Capitol building (the “Archway” and the “Tunnel,” respectively). After looking at the Tunnel, the Matthew Valentin and Andrew Valentin then made their way to steps near the Upper West Terrace. At some point before or while on the Upper West Terrace, Matthew Valentin appears to have mounted a camera to his forehead.

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<sup>13</sup> [https://capitol-hill-riots.s3.us-east-1.wasabisys.com/User%20Submissions%20-%20UNSORTED/Content/Youtube\\_video\\_0zyjCvDN4Ig%26t%3D2s\\_Channel\\_UCBJv3HTbI16szVvaPJ\\_z1UQ\\_WARNING\\_%20GRAPHIC%20CONTENT\\_%20RAW%20FOOTAGE%20OF%20THE%20CAPITOL%20YESTERDAY%20-%20THIS%20IS%20WHAT%20REALLY%20HAPPENED.mp4](https://capitol-hill-riots.s3.us-east-1.wasabisys.com/User%20Submissions%20-%20UNSORTED/Content/Youtube_video_0zyjCvDN4Ig%26t%3D2s_Channel_UCBJv3HTbI16szVvaPJ_z1UQ_WARNING_%20GRAPHIC%20CONTENT_%20RAW%20FOOTAGE%20OF%20THE%20CAPITOL%20YESTERDAY%20-%20THIS%20IS%20WHAT%20REALLY%20HAPPENED.mp4) at 52:09.



*Image 24: Screenshot from open source video<sup>14</sup> showing Andrew Valentin (circled in red) and Matthew Valentin (circled in yellow) near the Upper West Plaza.*

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<sup>14</sup> <https://archive.org/details/z4HmEXT6AWBWeJ4Yh> at 30:46.



*Image 25: Screenshot from open source video<sup>15</sup> showing Andrew Valentin (circled in red) and Matthew Valentin (circled in yellow) near the Upper West Plaza. Matthew Valentin appears to have a camera mounted to his forehead.*

Body camera footage shows Matthew Valentin and Andrew Valentin were in this vicinity at approximately 2:50 p.m.

<sup>15</sup> <https://archive.org/details/z4HmEXT6AWBWeJ4Yh> at 31:01.





*Image 26: Screenshot from body worn camera footage showing Andrew Valentin (circled in red) and Matthew Valentin (circled in yellow) near stairs leading to the Upper West Terrace*

Body worn camera footage shows that Matthew Valentin and Andrew Valentin approached the line of officers at approximately 2:52 p.m.:



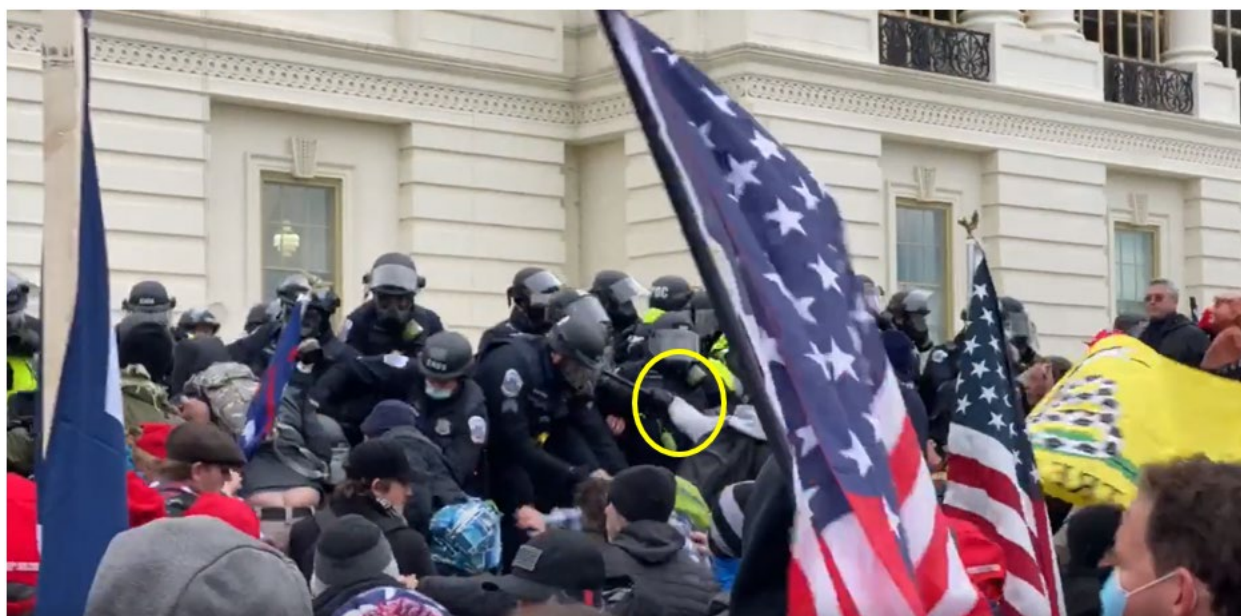
*Image 27: Screenshot from body worn camera footage showing Andrew Valentin (circled in red) and Matthew Valentin (circled in yellow) approaching the line of officers*

Matthew Valentin Grabs an Officer's Baton

Open source video shows that while near these stairs, Matthew Valentin approached the line of officers and grabbed an officer's baton.



*Image 28: Screenshot from open source video<sup>16</sup> showing Matthew Valentin before grabbing an officer's baton*



*Image 29: Screenshot from open source video<sup>17</sup> showing Matthew Valentin's hand (circled in yellow) grabbing an officer's baton*

Body worn camera shows that this incident occurred at approximately 3:30 p.m. and shows the incident from another angle:

<sup>16</sup> [https://ia802307.us.archive.org/28/items/8gCfqaxjcchipZ6rL/goodlionfilms\\_trim\\_FC1A0E.mpeg4](https://ia802307.us.archive.org/28/items/8gCfqaxjcchipZ6rL/goodlionfilms_trim_FC1A0E.mpeg4) at 00:12.

<sup>17</sup> [https://ia802307.us.archive.org/28/items/8gCfqaxjcchipZ6rL/goodlionfilms\\_trim\\_FC1A0E.mpeg4](https://ia802307.us.archive.org/28/items/8gCfqaxjcchipZ6rL/goodlionfilms_trim_FC1A0E.mpeg4) at 00:25.





*Image 30: Screenshot from body worn camera showing Matthew Valentin (circled in yellow) grabbing an officer's baton*



*Image 31: Screenshot from body worn camera showing Matthew Valentin (circled in yellow) grabbing an officer's baton*

Andrew Valentin Throws a Folding Chair at a Line of Officers

Law enforcement cleared the crowd from the Upper West Terrace, and Matthew Valentin and Andrew Valentin returned to the West Plaza. Body camera footage shows that, at approximately 5:12 p.m., Andrew Valentin threw a chair at a line of police officers. The chair



struck the shield of a Montgomery County Police Officer who was assisting Capitol Police Officers in regaining control of the Capitol and Capitol grounds.



*Image 32: Screenshot from body camera footage showing Andrew Valentin (circled in red) throwing a folding chair at a line of police officers.*

An open source video captured this incident from another angle:



*Image 33: Screenshot from open source video<sup>18</sup> showing Andrew Valentin (circled in red) throwing a folding chair (circled in green) at a line of police officers.*

<sup>18</sup> <https://www.youtube.com/watch?v=U3gVJ9TeV4&t=1516s> at 25:16.



*Image 34: Screenshot from open source video<sup>19</sup> showing the folding chair (circled in green) that Andrew Valentin (circled in red) threw at a line of police officers.*

Based on the foregoing, I submit that there is probable cause to believe that Matthew Valentin and Andrew Valentin 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; (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; 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.

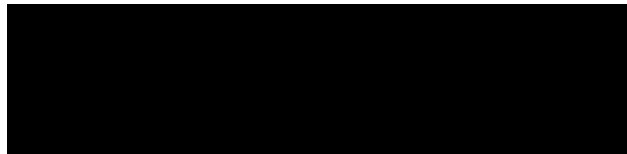
I submit there is also probable cause to believe that Matthew Valentin and Andrew Valentin violated 40 U.S.C. § 5104(e)(2)(F), which makes it a crime to willfully and knowingly (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

I also submit that there is probable cause to believe that Matthew Valentin and Andrew Valentin 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 that person is engaged in the performance of official duties, or on account of that person’s performance of official duties, where such acts involve physical contact with the victim or the intent to commit another felony. Persons designated

<sup>19</sup> <https://www.youtube.com/watch?v=U3gVJ9TeV4&t=1516s> at 25:17.

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 submit there is probable cause to believe that Matthew Valentin and Andrew Valentin 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 Joint Session of Congress where the Senate and House count Electoral College votes.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 9th day of February 2024.

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G. MICHAEL HARVEY  
U.S. MAGISTRATE JUDGE