

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, [REDACTED], being first duly sworn, hereby depose and state as follows:

PURPOSE OF AFFIDAVIT

1. I make this affidavit in support of an application for arrest warrants for DAVID MEDINA.
2. Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”) and has been since July 2019. My current assignment with the Joint Terrorism Task Force at FBI’s Portland Field Office. In that capacity, I investigate threats to human life, threats to damage property, and efforts to use violence or the threat of violence in support of or to counter a particular ideology. I am also tasked with 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.
3. The facts of this affidavit come from my review of the evidence, my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. Except as explicitly set forth below, I have not distinguished in this affidavit between facts of which I have personal knowledge and facts of which I have hearsay knowledge. This affidavit merely intends to show that sufficient probable cause exists for the requested warrants and does not set forth all of my knowledge about this matter.

FACTUAL BACKGROUND

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

FACTS SUPPORTING PROBABLE CAUSE

Medina's Participation on January 6, 2021

10. As outlined further below, this investigation identified David Anthony Medina (hereinafter “Medina”) as part of a larger group that unlawfully entered the U.S. Capitol building on January 6, 2021. Medina is a 34-year-old male, who currently resides in Whittier, California. However, at the time of the events described below, Medina resided in Sherwood, Oregon.

11. On January 7, 2021, an anonymous tip was submitted to the FBI's National Threat Operations Center via tips.fbi.gov. The tipster stated that Medina appeared in a video inside the Capitol and listed Medina's Instagram username as “realdavidmedina.” The tipster stated they knew Medina because they were both members at “The Bay Club”, an athletic club in Tigard, Oregon.

12. As a result of that tip and others naming Medina as a potential subject, FBI reviewed open-source material, including Twitter posts, that also identified Medina as being

inside the U.S. Capitol Building on January 6, 2021. Below is one of those posts (“Twitter Post 1”).¹



Figure 1: Twitter Post Captioned “David Medina: a trump supporter that willingly provided evidence to his breaking into the Capitol and destroying property -part 1/3”

13. I have compared the images in Twitter Post 1 with a Department of Motor Vehicle photograph of David Medina, which appear to depict the same individual.

14. As seen above, Twitter Post 1 contained four photographs that could be clicked on and fully viewed.

¹ The original images have been cropped or redacted protect the identities of the poster(s) of the pictures/videos.

15. In Twitter Post 1, the top left picture is a still shot of a YouTube video posted by ITV News² (hereinafter “ITV video”). Investigators reviewed the ITV video, titled “Inside the US Capitol as Trump supporters storm building”, which was posted on January 6, 2021.

16. Part of the ITV video depicts rioters inside the Capitol on January 6th. During a portion of the video, the narrator discusses seeing rioters ransack Nancy Pelosi’s office. At that time, the sign for Nancy Pelosi’s office appears above the entryway.



Figure 2: Screenshot of ITV Video Showing Sign Above Entryway to Nancy Pelosi’s Office

17. In the next clip, Medina is standing in the hallway outside of the entryway to Pelosi’s office and appears to be slamming a wooden sign in an attempt to break it.

² <https://www.youtube.com/watch?v=UBp42536IhE&bpctr=1610147093>

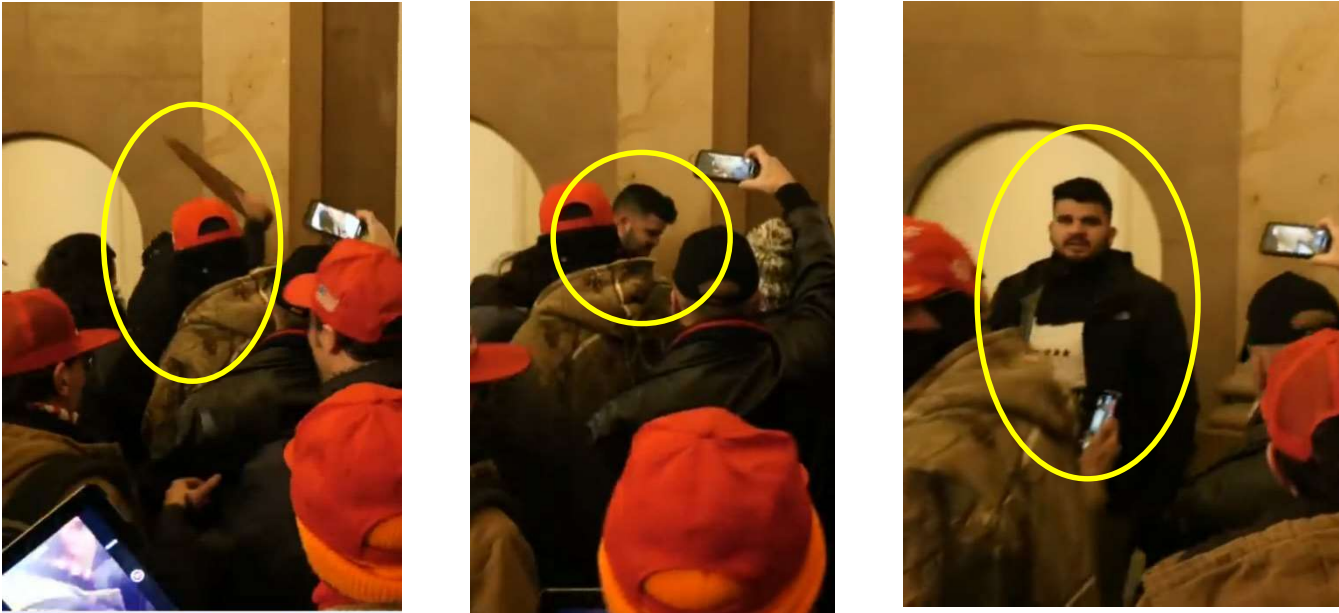


Figure 3: Series of Screenshots from ITV Video of Medina Slamming Down Sign

18. As Medina moves away from the corner, the camera pans, showing the area above the entryway, where the sign previously affixed is now missing.



Figure 4: Screenshot From ITV Video Showing Sign Missing

19. In the next scene of the ITV Video, Medina is standing next to rioters who are holding a shattered wooden sign with partial lettering visible, spelling “of the House” on the top line, and “Nancy P” on the lower line. The lettering appears to correspond to “Speaker of the House, Nancy Pelosi.”

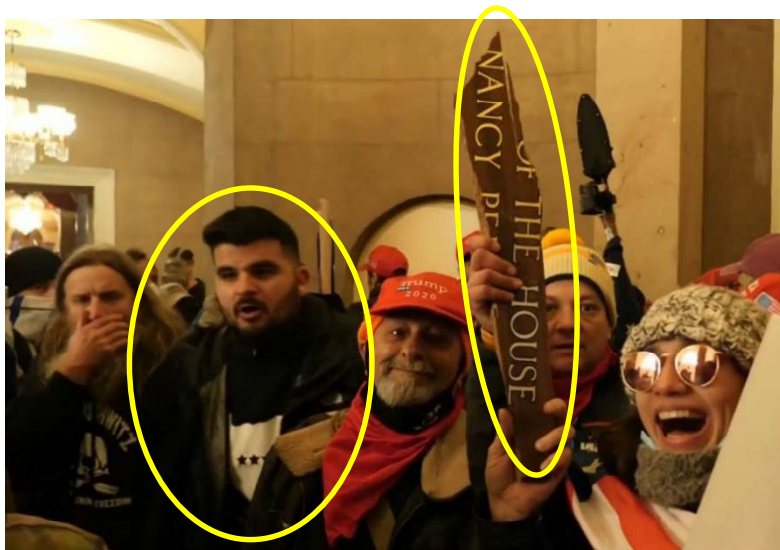


Figure 5: Screenshot of ITV Video

20. The Architect of the Capitol estimated the cost to replace the sign at \$870.

21. As the ITV video continues, Medina faces directly into the camera. He is wearing a black North Face jacket over a black shirt that appears to depict the state of Oregon in white with four black stars through the middle. Medina, speaking directly to a reporter, states, “We were normal good, law-abiding citizens and you guys [the government] did this to us. We want our country back.” Medina then walked off further into the Capitol building. The full still image from Twitter Post 1 is here:



Figure 6: Screenshot from ITV Video

22. The top right picture of Twitter Post 1 is a screen capture of an Instagram post from the account “oregonians4trump”. The post shows Medina standing in a black sports coat over a black shirt depicting the state of Oregon in white with four black stars through the middle. It appears to be the same shirt that Medina is wearing in the ITV video.



Figure 7: Instagram Post by “oregonians4trump”

23. The bottom left picture of Twitter Post 1 is a screen capture of an Instagram post from the account “People”. In that post, Medina is wearing tan pants and seemingly the same North Face jacket and black shirt as in the ITV video. Medina is also wearing black gloves. Medina appears to be in the Rotunda of the U.S. Capitol, waving an ornate American Flag with golden fringe, mounted on a wooden pole with a golden eagle on the top. Based on the appearance of the flag and flagpole, and my training and experience, the flag appears to be a ceremonial indoor flag that was likely taken from inside the U.S. Capitol.

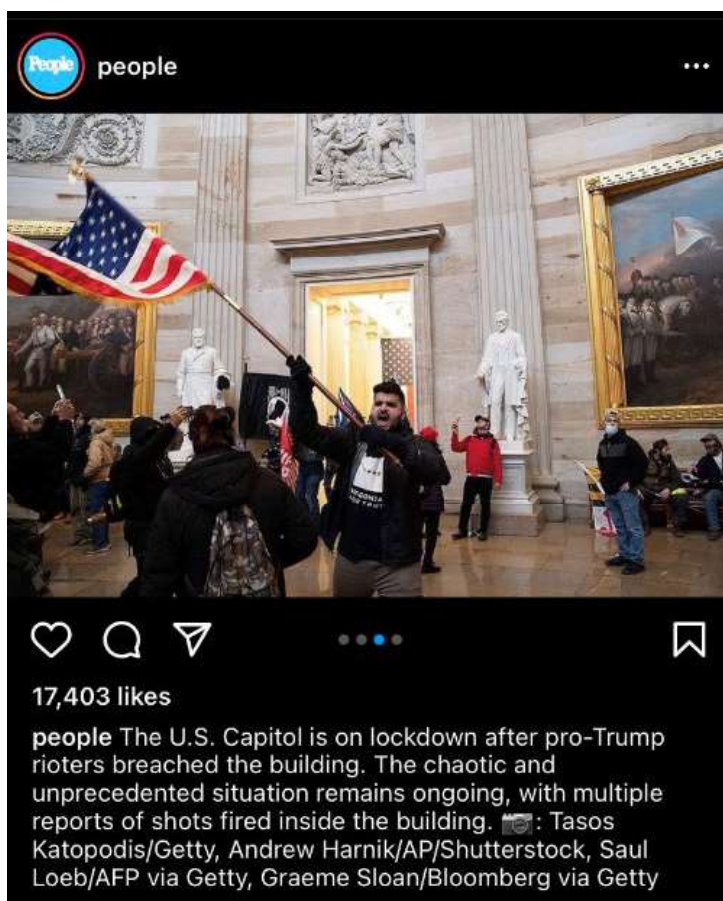


Figure 8: Instagram Post by “People”

24. A review of closed-circuit surveillance (“CCTV”) footage from inside the U.S. Capitol shows Medina near the Rotunda at approximately 2:43 p.m., carrying what appears to be the same ornate flag shown in People’s Instagram post. Medina is wearing the same attire in CCTV footage as he is in the ITV video and in People’s Instagram post.

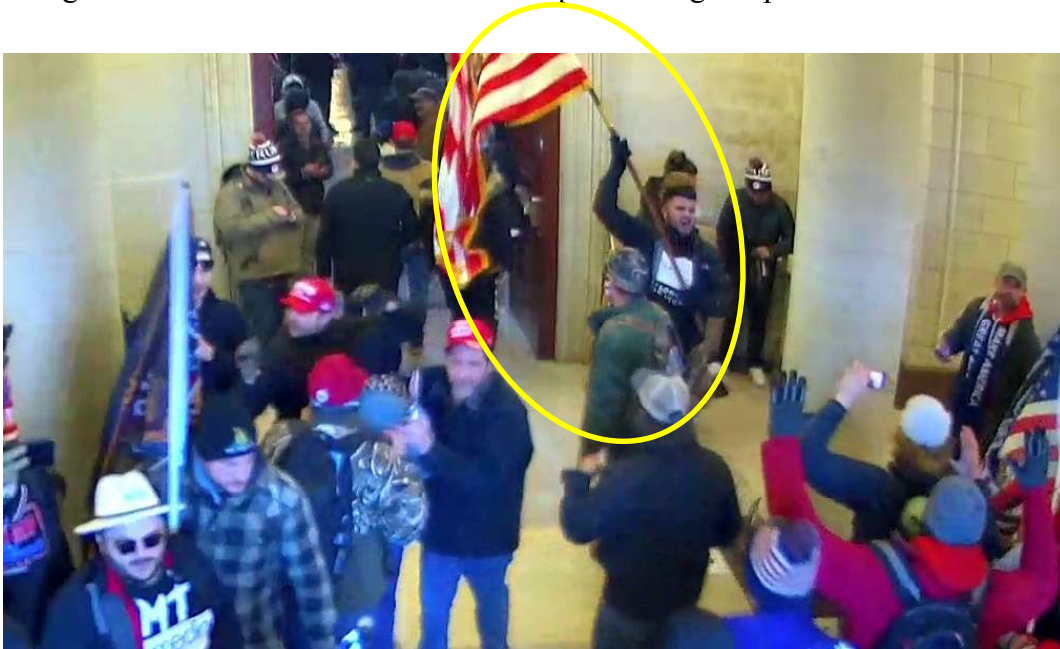


Figure 9: Screenshot from Capitol CCTV

25. The bottom right picture of Twitter Post 1 is a screen capture of Medina’s LinkedIn page. The profile image appears to be Medina. His job title is listed as “Political Consultant/Activist”, with the words “Anna Kasachev for State Representative and Sherwood, Oregon” underneath.

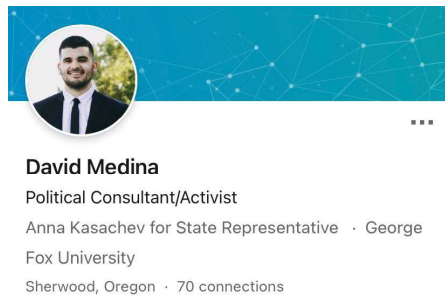


Figure 10: Medina’s LinkedIn Profile

26. The same user who posted Twitter Post 1, also posted clips from an Instagram Live video that Medina filmed on January 7th. That Twitter Account posted two clips of the purported Instagram Live video. In the first clip, Medina is wearing a white hat (backwards) with gold lettering on the back and side, a black shirt with the words “Million MAGA” on the front. Looking directly into the camera, Medina says, “So as these guys break into the Capitol, obviously the doors are wide open. I walk in and I am screaming 1776, cause its powerful man. It’s a powerful move, a powerful time.” Medina continues, “. . . we weren’t you know, breaking windows, we weren’t breaking stuff. Ummm, I know someone had torn down Speaker Pelosi’s wooden sign above her door and there was like fragments of it like on the ground and I just took a piece and I just kinda broke it in half. It felt so good.” Below is a screen capture from this clip:



Figure 11: Screenshot Instagram Live Video

27. In the second clip of the Instagram Live video, Medina is wearing the same attire. In that clip, Medina states, “. . . did it go too far? Yes, there were a select few that took it too far. I went in there mainly to document. When I was in there, I had the flag, that a lot of people

encouraged me to take. I just didn't feel right taking that, it just felt like stealing to me, which it is. But I did wave it because it felt like a patriotic moment. This is our time. I didn't understand the extent of the damage when I was waving the flag”

28. When investigators searched online for the original, publicly accessible version of the Instagram video, which would have been posted by either “realdavidmedina” or “oregonians4trump”, both Instagram accounts had been taken down and the content was no longer publicly accessible. At this time, it is not clear whether the account user or Instagram itself took down the content.

29. The FBI conducted a voluntary, in-person interview of Medina on March 1, 2021. During that interview, Medina stated that he went to Washington, D.C. on January 6, 2021 to see Trump one last time and to “peacefully protest.” He claimed that he did not believe anyone could change the election results or stop the certification of the Electoral College vote. He reportedly was still at Trump’s “Stop the Steal” rally when the U.S. Capitol building was breached. Medina did not know what time he went to the Capitol building, but when he arrived, did not see barriers or anyone fighting with police. He said, “the Capitol police greeted us.” He admitted to going inside the U.S. Capitol building and once inside, yelled “Freedom” and “1776.” He claimed that his “heart sank” when he found out that people fought the police. Medina claimed that he stayed inside until security pushed people out. Medina also stated that, on January 5, 2021, he went to a rally at Freedom Plaza. That same day, he went to the Capitol to try and interact with politicians. When at the Capitol on the 5th, he saw barriers and police present on the grounds. Medina had also been to the Capitol in 2020 after the CPAC conference, when someone took him into the building through an alternate entrance.

30. Medina was shown a photograph of himself inside the Rotunda waiving the aforementioned American flag. He identified himself in the photo. He stated that he retrieved the flag from a flag stand near the entrance of the Rotunda. He further stated that he waved the flag around for a while before giving it back to a police officer. Medina also admitted to operating the Instagram accounts “realdavidmedina” and “oregonians4trump.”

31. FBI executed a search warrant on Medina’s cellphone. A review of the cellphone showed that Medina texted³ with a friend regarding January 6th:

12/25/2020 6:05:31 PM(UTC+0)	████	Medina	I'm gonna see you on the 6th right? :)
12/25/2020 6:05:55 PM(UTC+0)	Medina	████	Of course. I'll be in DC on the 3rd. You're more than welcome to drive up and stay with me :)
12/25/2020 9:10:36 PM(UTC+0)	Medina	████	I'm excited for dc.
12/25/2020 9:11:17 PM(UTC+0)	████	Medina	Me too :) it's gonna be epic :) if GOP betray us, we all should storm the capital 🇺🇸🇺🇸🇺🇸🇺🇸
12/25/2020 9:11:32 PM(UTC+0)	Medina	████	I'm down

³ All of the text message screenshots that appear in paragraphs 31-39 depict the sender in the second column, and receiver in the third column.

32. On January 6, 2021, the friend texted Medina:

1/6/2021 3:58:14 AM(UTC+0)	██████	Medina	Praying for you bro
...			
1/6/2021 9:32:12 PM(UTC+0)	Medina	██████	This where we at
1/6/2021 9:32:44 PM(UTC+0)	██████	Medina	Didn't send yet
1/6/2021 9:33:52 PM(UTC+0)	██████	Medina	I'm near tower

Your affiant is aware that on restricted grounds on January 6th, specifically in the West Plaza, there were media towers erected for the inauguration.

33. Medina also texted with another individual in December 2020 and January 2021, who he ultimately met in D.C. for January 6th. On December 1 and 2, 2020, the two texted⁴:

12/1/2020 9:51:00 PM(UTC+0)	Medina	██████	They're either shamed into being labeled as conspiracy theorists or violent racists
12/1/2020 9:51:51 PM(UTC+0)	██████	Medina	People don't want to see it. Weather it's fear. Ignorance. Complacency or just don't care. I don't get it either. All I do is draw closer to Jesus or try too
12/1/2020 9:52:45 PM(UTC+0)	Medina	██████	We've been softened for years to prepare for this. With what's going on with governor's telling us who we can and can't have in our houses we should be storming the capitol building and our governor's houses armed and ready to take over

⁴ According to open-source materials, Medina also participated in a storm-the-capital event on December 21, 2020 at the Oregon State Capitol Building in Salem, Oregon. Medina is shown in CCTV footage of that incident when the crowd confronted police.

12/1/2020 10:09:16 PM(UTC+0)	██████████	Medina	But why won't we. Is what I ask myself. What is the tipping point or is there one.
12/1/2020 10:26:51 PM(UTC+0)	██████████	Medina	Just out what I just sent you on OFT. The problem right there. We are fighting against our own government
12/1/2020 11:20:06 PM(UTC+0)	Medina	██████████	Sad and scary thing is....i don't think there's a tipping point. It will be too late
12/1/2020 11:21:16 PM(UTC+0)	██████████	Medina	I completely agree.
12/1/2020 11:21:47 PM(UTC+0)	Medina	██████████	Bill barr is a fucking joke
12/1/2020 11:21:51 PM(UTC+0)	Medina	██████████	He's being paid off
12/1/2020 11:22:02 PM(UTC+0)	Medina	██████████	And I blame Trump for some of this
12/1/2020 11:22:21 PM(UTC+0)	Medina	██████████	Sitting by allowing the governor's to shut down their state's and steal the election
12/1/2020 11:22:47 PM(UTC+0)	Medina	██████████	He was elected to stop this shit and now it's worse than ever

12/1/2020 11:22:55 PM(UTC+0)	██████████	Medina	Emphasized "Sitting by allowing the governor's to shut down their state's and steal the election"
12/1/2020 11:23:19 PM(UTC+0)	Medina	██████████	Allowing riots to go on with no intervention
12/1/2020 11:23:52 PM(UTC+0)	██████████	Medina	I'm telling you. Martial Law
12/1/2020 11:24:01 PM(UTC+0)	██████████	Medina	It needs to happen
...			
12/2/2020 2:44:13 AM(UTC+0)	Medina	██████████	We need a war bro
12/2/2020 2:44:39	Medina	██████████	This country will never stop being soft until another big event happens that

34. On December 12, 2020, the two exchanges the following messages:

12/12/2020 5:40:58 AM(UTC+0)	Medina	██████████	Can you feel it
12/12/2020 5:41:34 AM(UTC+0)	██████████	Medina	Feel what. War
12/12/2020 5:42:05 AM(UTC+0)	Medina	██████████	War or mass military operation
12/12/2020 5:42:12 AM(UTC+0)	Medina	██████████	Or large scale martial law
12/12/2020 5:42:35 AM(UTC+0)	██████████	Medina	I do feel it
...			
12/12/2020 5:46:11 AM(UTC+0)	Medina	██████████	I will die for my country
12/12/2020 5:46:25 AM(UTC+0)	Medina	██████████	I fear it's coming to that

12/12/2020 5:46:33 AM(UTC+0)	██████████	Medina	I will die for my children
12/12/2020 5:46:50 AM(UTC+0)	Medina	██████████	The proud boys are currently beating the fuck out of BLM right now in DC so that kinda gives me hope
12/12/2020 5:47:34 AM(UTC+0)	Medina	██████████	Then the Israeli dude said there's aliens and that Trump knows...
12/12/2020 5:47:49 AM(UTC+0)	Medina	██████████	That's prob why he created Space Force
12/12/2020 5:47:55 AM(UTC+0)	██████████	Medina	Aliens are another distraction
12/12/2020 5:48:05 AM(UTC+0)	██████████	Medina	It's all Coming to pass
12/12/2020 5:48:53 AM(UTC+0)	Medina	██████████	I'm scared but also ready

35. On December 30, 2020, the two appeared to make travel plans to go to D.C. for

January 6th:

12/30/2020 8:25:57 PM(UTC+0)	██████████	Medina	What are times again I would leave. Where I would stay. I need dates and times please
12/30/2020 8:26:43 PM(UTC+0)	██████████	Medina	Need to be able to look at everything
12/30/2020 8:28:30 PM(UTC+0)	Medina	██████████	Leave Monday, come back Thursday
12/30/2020 8:28:46 PM(UTC+0)	Medina	██████████	You'd stay with me

36. In January 2021, the two continued planning:

1/1/2021 6:08:18 PM(UTC+0)	Medina	██████████	You're staying at the Crowne plaza in Crystal City VA. Right across the river. Good hotel. I've stayed in it before. You'll have the sofa bed all to yourself
1/1/2021 6:08:47 PM(UTC+0)	██████████	Medina	Am I staying with you then.
1/1/2021 6:09:25 PM(UTC+0)	Medina	██████████	Yes
1/1/2021 6:20:19 PM(UTC+0)	██████████	Medina	It's going to be insane there
1/1/2021 6:20:31 PM(UTC+0)	Medina	██████████	It really is. The Final STAND
1/1/2021 6:25:31 PM(UTC+0)	██████████	Medina	I have no problem dying
...			
1/2/2021 8:30:34 PM(UTC+0)	██████████	Medina	This is from my crazy ex wife Hi, one of my cousins saw a news article today that said the Mayor of D.C. has told all restaurants, grocery stores, and other businesses to shut down Jan 4, 5, & 6 and posted it was to deter these Marchers from coming to Washington DC because they will not be able to get water, food etc.
1/2/2021 8:32:33 PM(UTC+0)	Medina	██████████	Like with any big event, there comes all of the crazy conspiracy theories. This is somewhat true but not as big as some of the people have built it up to be.
1/2/2021 8:33:01 PM(UTC+0)	Medina	██████████	We are staying across the river in Virginia so that gives us an advantage. We'll be fine
1/2/2021 8:33:33	██████████	Medina	What's our bug out plan. Steal A car. And drive back through military

37. On January 6, 2021, the two communicated throughout the day about their

movements:

1/6/2021 6:35:58 PM(UTC+0)	Medina	██████████	Where you guys at
1/6/2021 6:36:30 PM(UTC+0)	██████████	Medina	Capital.
1/6/2021 6:37:04 PM(UTC+0)	██████████	Medina	Go straight in all the way to the steps.
1/6/2021 6:37:10 PM(UTC+0)	██████████	Medina	They broke down barricade.
1/6/2021 6:41:09 PM(UTC+0)	Medina	██████████	Love it
1/6/2021 6:41:18 PM(UTC+0)	Medina	██████████	You at the back or front
1/6/2021 6:41:26 PM(UTC+0)	██████████	Medina	Cops shooting tear gas.
1/6/2021 6:42:07 PM(UTC+0)	██████████	Medina	Im up front. On the 2nd a raised platform closest to front.

1/6/2021 6:43:59 PM(UTC+0)	Medina	██████████	I meant are you at the backside of the capitol or front side
1/6/2021 6:44:14 PM(UTC+0)	Medina	██████████	Supreme Court side or monument side
1/6/2021 6:44:26 PM(UTC+0)	██████████	Medina	Back side opposite of where we were this morning
1/6/2021 6:50:08 PM(UTC+0)	██████████	Medina	I'm on the last raised platform closest to the steps. Back side. Cops shooting percussion grenades into the crowd
1/6/2021 9:06:52 PM(UTC+0)	██████████	Medina	You coming back to me
1/6/2021 9:15:14 PM(UTC+0)	Medina	██████████	On my way

38. The next day, January 7th, the two continued texting:

1/7/2021 10:57:44 PM(UTC+0)	██████████	Medina	Just chill relax and breathe
1/7/2021 11:03:09 PM(UTC+0)	Medina	██████████	I'm trying to cousin. Only worried about my girls
1/7/2021 11:04:36 PM(UTC+0)	██████████	Medina	And they will be fine. I will always look out for you and your family. So don't worry about that
1/7/2021 11:09:24 PM(UTC+0)	Medina	██████████	Love you bro. Don't know what I'd do without you. Please don't tell your mom or brother or Jason. I don't need my mom worrying and plus I'd just rather keep this between us.
1/7/2021 11:09:53 PM(UTC+0)	Medina	██████████	You know, my senator friend knows and my wife knows.
1/7/2021 11:10:01 PM(UTC+0)	Medina	██████████	And ██████████
1/7/2021 11:11:03 PM(UTC+0)	██████████	Medina	I know this. I'm not telling anyone. My brother and wife knows that's it. They know to be quiet.
1/7/2021 11:11:29 PM(UTC+0)	Medina	██████████	K. You know me too. I don't like the family knowing my business

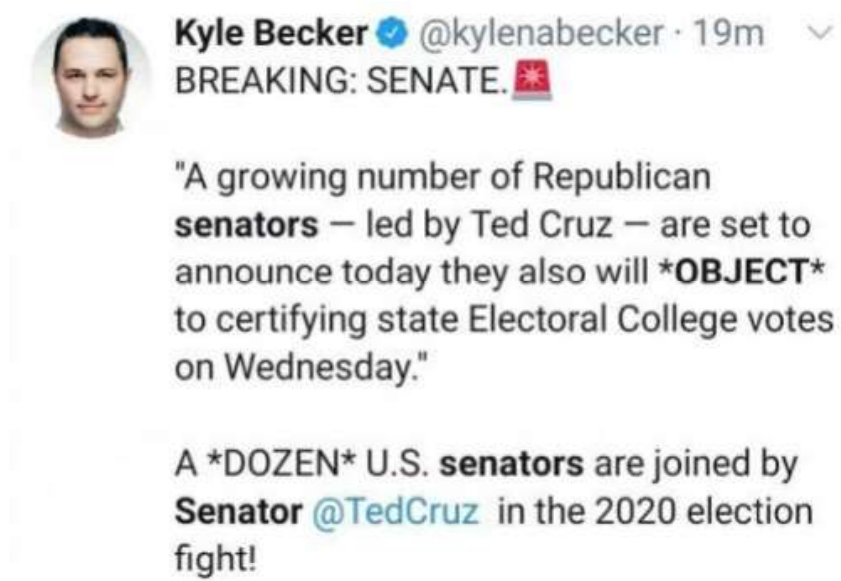
39. On January 8th, Medina and his friend attempted to downplay Medina's actions on January 6th:

1/8/2021 6:27:22 PM(UTC+0)	██████████	Medina	How you doing
1/8/2021 6:29:15 PM(UTC+0)	Medina	██████████	Up all night. They called my phone from my parent's number and said they had my food outside. Loaded my gun and called the police. Pictures of me and my family going around the internet saying we're all racists. So yeah. I'm good lol
...			
1/8/2021 7:15:58 PM(UTC+0)	Medina	██████████	But you have to also understand that I didn't break into the capitol. It was already open and I didn't see anyone fighting cops at first
1/8/2021 7:17:08 PM(UTC+0)	Medina	██████████	I wish I would've stayed with you. If I had known what it was going to turn into I would have.
1/8/2021 7:17:24 PM(UTC+0)	Medina	██████████	I never actually thought people were going to break into the capitol.
1/8/2021 7:17:34 PM(UTC+0)	██████████	Medina	That's why didn't go
1/8/2021 7:17:49 PM(UTC+0)	██████████	Medina	I know you didn't know they were going to do that. I know that wasn't your intention

40. A subsequent review of Medina's social media accounts show that Medina planned to go to the Capitol on January 6th to "Stop the Steal", and used his social media to solicit donations to fund travel for himself and others. For example, on December 22, 2020, Medina posted:

User oregonians4usa (21660108425) []
Id 18056460331300315
Date Created 2020-12-22 22:17:56 UTC
Text ████████ President Trump has called for the patriots of America to protest in DC on January 6th in what will be one of the biggest protests for freedom yet! If you'd like to support us and help get us to DC and represent YOU while bringing you exclusive, high quality content please consider donating any amount! Thank you! Goal: \$700 (If we don't hit goal, all donations will be refunded!) ████████WAYS TO DONATE: Venmo - @Oregonians4trump Cashapp - \$oregonians4trump45 PayPal - DM if needed! #trump #laststand #makeamericagreatagain #usa #AllLivesMatter #[stopthesteal](#) #oregonians4trump #oregon

41. On January 2, 2021, Medina, using the Instagram account **oregonians4usa**, reposted the following tweet:



Medina commented underneath that post:

Comments

User oregonians4usa (21660108425) []

Id 17904307252631479

Date Created 2021-01-02 18:03:09 UTC

Text [] Take that, @senatemajldr! You spineless traitor! @sentedcruz might have just won my full trust and support back! @senatorhawley deserves all the credit! [] [] [] Guys this is huge. I feel confident these heroes will save America on the 6th! The left and their puppet masters will never steal this republic without a fight! KEEP PRAYING! #stopthesteal #trump #makeamericagreatagain #usa #trump2020 #maga #trumpwon #freedom

42. A review of Medina’s current X (formerly Twitter) account shows that he continues to claim—more than two years later—that the 2020 election was “stolen”:



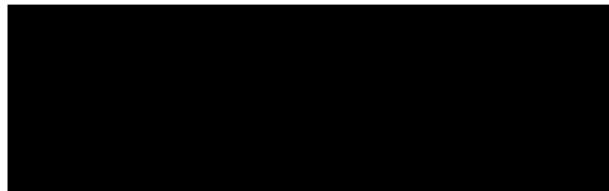
43. Medina also appears to make light of his participation in the riot:



44. Based on the foregoing, your affiant submits that there is probable cause to believe that Medina violated:

- a. Title 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 so; 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. 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.
- b. 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; (G) parade, demonstrate, or picket in any of the Capitol Buildings.

- c. 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.
- d. 18 U.S.C. § 1361, by willfully injuring or depredating of any property of the United States with a value of less than \$1,000.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 13th day of February 2024.

A handwritten signature in blue ink, appearing to read 'ZMF'.



Zia M.
Faruqui

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE