

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
ISABELLA MARIA DELUCA
DOB: XXXXXX

) Case: 1:24-mj-00072
) Assigned To : Judge Robin M. Meriweather
) Assign. Date : 2/28/2024
) Description: COMPLAINT W/ARREST WARRANT
)
)

Defendant(s)

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:

Code Section

Offense Description

- 18 U.S.C. §§ 641, 2 (theft of government property and aiding and abetting theft of government property),
18 U.S.C. § 1752(a)(1) (entering or remaining in restricted buildings or grounds),
18 U.S.C. § 1752(a)(2) (disorderly and disruptive conduct in a restricted building or grounds),
40 U.S.C. § 5104(e)(2)(D) (disorderly or disruptive conduct in the Capitol Buildings),
40 U.S.C. § 5104(e)(2)(G) (parading, demonstrating, or picketing in a Capitol Building).

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

[Redacted signature area]

Complainant's signature

[Redacted name and title area]

Printed name and title

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

Date: 02/28/2024

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, [REDACTED]

[REDACTED]. I have worked as a Special Agent for more than 7 years investigating international terrorism, domestic terrorism, bomb threats, civil disturbances, and riots. Currently, I am tasked with investigating criminal activity in and around the U.S. Capitol 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.

Background – The Events at the U.S. Capitol 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 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 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.

Investigation of Isabella M. DeLuca

On January 9, 2021, the FBI received an online tip identifying ISABELLA MARIA DELUCA (“DELUCA”) as a possible suspect who participated in the January 6, 2021 riot at the U.S. Capitol. The tipster alleged that DELUCA deleted social media posts about being at the U.S. Capitol on January 6.

After receiving the tip, the FBI telephonically interviewed DELUCA on January 21, 2021. DELUCA admitted to the FBI that she was present at the U.S. Capitol on January 6, 2021, but she claimed that she never entered the U.S. Capitol building. DELUCA further explained that she went to the U.S. Capitol with some friends, but they were eventually separated from each other.

The FBI also telephonically interviewed DELUCA’s mother on January 21, 2021. According to DELUCA’s mother, DELUCA went to the U.S. Capitol with some friends, but DELUCA did not go inside the U.S. Capitol building. DELUCA’s mother further stated that she viewed DELUCA’s live feed Instagram video and saw DELUCA standing outside the U.S. Capitol.

Based on the above, the FBI opened an investigation of DELUCA. According to subpoenaed bank records, DELUCA made several purchases in the Washington D.C. area between January 5, 2021 to January 8, 2021. On January 5, 2021, DELUCA incurred a \$108.00 charge from Amtrak that noted “Orig: NYP, Dest: WAS.” These codes indicate her trip originated at New York Penn Station in New York, New York, and her destination was Union Station in Washington, D.C. Records subpoenaed from Amtrak confirmed that DELUCA traveled from New York City to Washington, D.C. on January 5.

On January 6, 2021, DELUCA incurred a charge of \$160.86 from the Kimpton Lorien Hotel, which is located at 1600 King Street, Alexandria, Virginia. Records subpoenaed from the Kimpton Lorien Hotel confirmed that DELUCA checked in on January 6, 2021 and checked out on January 8, 2021. On January 6, 2021, DELUCA also incurred a charge from Dunkin Donuts Store No. 350957 located at 1101 14th Street NW in Washington, D.C., which is approximately 1.9 miles from the U.S. Capitol. She also incurred a charge from CVS Pharmacy Store No. 1334 located at 717 14th Street NW in Washington, D.C., which is approximately 1.5 miles from the U.S. Capitol.

During its investigation, the FBI lawfully obtained a search warrant for DELUCA’s Instagram accounts on July 13, 2022. Subscriber records from Instagram indicate that the account with username isbellamdeluca is subscribed to by DELUCA. On the evening of January 5, 2021, DELUCA’s Amtrak train broke down near Baltimore, Maryland. DELUCA messaged others on Instagram, “My train isn’t working” and “I need a ride to dc.” She also posted the following

Instagram story. DELUCA's Instagram messages suggest that she eventually received a ride to Alexandria, where the Kimpton Lorient Hotel is located, in the early morning hours of January 6, 2021.



Image 1

Isabella M. DeLuca's Participation in the Riot at the U.S. Capitol on January 6, 2021

At 2:55 p.m. EST on January 6, 2021, DELUCA replied to a Twitter post saying, "Fight back or let politicians steal and election? Fight back!"¹

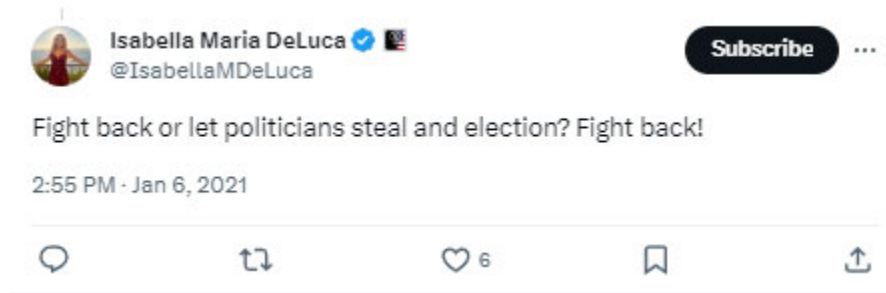


Image 2

Shortly thereafter, at 3:20 p.m. EST, an Instagram user messaged DELUCA, "I'm walking to the Capitol!" A few minutes later, DELUCA responded, "Okay! I'm going to head there now." DELUCA later messaged the same person, "I'm here," at approximately 3:46 p.m. EST.

Video identified from U.S. Capitol Police CCTV surveillance footage and open-source video footage place a woman matching DELUCA's appearance inside and around the U.S. Capitol on January 6, 2021. In all photographs and videos, DELUCA is wearing a brown jacket, black pants, white shoes, and at times is wearing a red, white, and blue neck gaiter partially covering her face.

Based on your affiant's review of video evidence, DELUCA can be seen (1) within the restricted area around the U.S. Capitol; (2) recording video and/or taking photographs within the restricted area; (3) entering Senate Terrace Room 2 Mezzanine ("ST-2M") through a broken window on the Lower West Terrace of the U.S. Capitol; and (4) removing, and aiding and abetting other rioters in removing, a table from ST-2M and passing it to rioters outside through another broken window. This table was subsequently used to assault law enforcements officers guarding the Lower West Terrace Tunnel (the "Tunnel") as described below.²

¹ The FBI also lawfully obtained a search warrant for DELUCA's Twitter (now X) account on July 13, 2022. Subscriber records from Twitter indicate that the account with username @IsabellaMDeLuca is subscribed to by DELUCA. A further review of DELUCA's Twitter account revealed that there were no tweets (as opposed to replies and direct messages) between January 3, 2021 and January 10, 2021.

² The Tunnel was a temporary corridor entryway that led into the U.S. Capitol. It was created as part of the construction of the inaugural platform. After the police perimeter was breached on the West Plaza of the U.S. Capitol, many law enforcement officers retreated into the Tunnel to regroup. However, rioters streamed into the Tunnel in large numbers where they began to fight the police in an attempt to enter the U.S. Capitol. A group of officers using their bodies to barricade the entrance constituted the only barrier between the rioters in the Tunnel and entry

Around 4:24 p.m. EST, CCTV surveillance footage captured DELUCA, circled in yellow, within the restricted area on the temporary inaugural platform constructed on the Lower West Terrace of the U.S. Capitol, as depicted in Image 3 below. In this Image, DELUCA appeared to cover her face from tear gas blowing in the wind. She remained in this area for several minutes and appeared to be using her cell phone, as shown in Image 4 below.



Image 3

into the Capitol building. Some of the most vicious assaults on law enforcement on January 6, 2021 occurred in the area by the Tunnel.



Image 4

From there, Deluca continued to descend down the inaugural platform. Around 4:30 p.m. EST, DELUCA arrived in an area near the Tunnel and outside of ST-2M, which is directly to the left of the Tunnel (as one faces the Tunnel). Image 5 below is a screenshot from an open-source video showing DELUCA using her cell phone to record video and/or take photographs outside of ST-2M. ST-2M is one of a suite of conference rooms available for members of congress and their staffs. Although ST-2M was unoccupied on January 6, 2021, it is considered a sensitive location that is not open to members of the public.³

³ Your affiant reviewed the criminal complaint and statement of facts in *United States v. Castro*, No. 1:21-cr-00299-RBW, which established that ST-2M was accessible from the middle landing of the Lower West Terrace of the U.S. Capitol, where the temporary inaugural platform was constructed.



Image 5

Images 6 and 7 below are also screenshots from open-source videos. DELUCA continued to record video and/or take photographs outside of ST-2M, witnessing rioters inside the room steal pieces of furniture, including a lamp and a chair, and passing them to the rioters outside.



Image 6



Image 7

DELUCA then entered ST-2M through one of the lower windows that had been broken by rioters, as shown in Image 8 below.

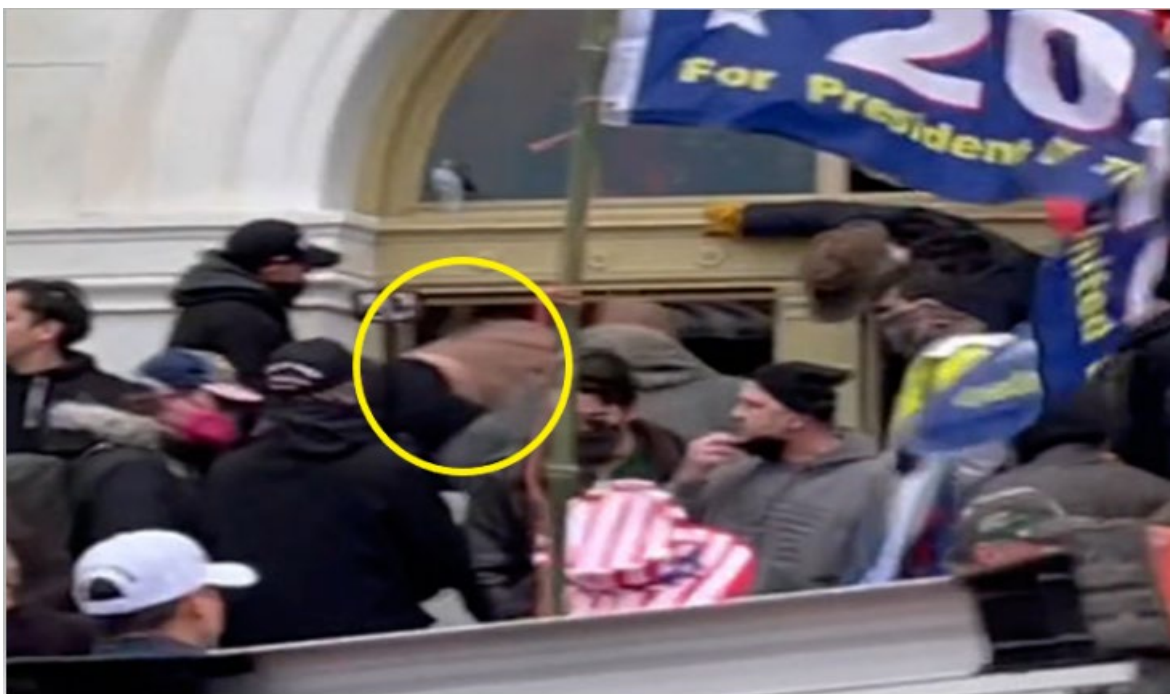


Image 8

Approximately 90 seconds after entering ST-2M, DELUCA passed, and assisted other rioters in passing, a table out of one of the broken windows, as depicted in Image 9 below.



Image 9

After DELUCA passed the table out of the window, DELUCA appeared to use her cell phone to record video and/or take photographs of the scene, as shown in Image 10 below. At the same time, rioters passed the table in the direction of the Tunnel, where it was subsequently used as a weapon against law enforcement officers.



Image 10

About two-and-a-half minutes after entering, DELUCA exited ST-2M through the same broken window through which she passed the table, as depicted in Image 11 below. As DELUCA was climbing out of the window, the rioter dressed in all black with a neck tattoo used a baseball bat to smash the adjacent window. During her exit, DELUCA appeared to drop her cell phone and another rioter picked it up and passed it to her, as shown in Image 12 below.



Image 11



Image 12

While inside ST-2M, DELUCA witnessed a chaotic scene with overturned and broken furniture thrown about the room haphazardly. Image 13 below is a screenshot from a cell phone video taken inside ST-2M around the same time DELUCA was there. Later in the same video, DELUCA can be seen standing on the ledge outside the ST-2M windows.



Image 13

Image 14 is a screenshot from an open-source video. DELUCA, with the neck gaiter partially covering her face, remained on the ledge outside ST-2M for approximately the next two minutes. At one point, DELUCA appeared to be observing the chaos at the mouth of the Tunnel, including the rioters passing a long wooden beam towards the mouth of the Tunnel, as shown in Image 15.



Image 14



Image 15

Around 4:45 p.m. EST, several minutes after DELUCA exited ST-2M, another rioter, Timothy Desjardins,⁴ circled in yellow, picked up a wooden table leg in front of the Tunnel and used that leg to assault law enforcements officers, as depicted in Image 16 below. Simultaneously, another rioter picked up a table, circled in red, from the same location in front of the Tunnel. That rioter proceeded to throw the table at the officers in the Tunnel, as shown in Images 17 through 19 below. The table bears a strong resemblance to the table that DELUCA passed out of the window in Image 9 above, sharing the same design on the apron. But the table legs were broken off at some point in the melee. Your affiant has reviewed correspondence and business records from the U.S. Senate Sergeant at Arms, which valued the replacement cost of the coffee table taken from ST-2M at approximately \$637.96.



Image 16

⁴ Your affiant reviewed the criminal complain and statement of facts filed in *United States v. Desjardins*, No. 1:21-mj-00663-ZMF.



Image 17



Image 18



Image 19

Later that same day, at 5:53 p.m. EST, DELUCA messaged an acquaintance on Instagram, “It’s insanity here” and “I got maced and had a sound bomb go off right next to me.”

Over the next several days, DELUCA continued to post on social media about the riot at the U.S. Capitol. In the early morning hours of January 7, 2021, an Instagram user messaged DELUCA, “I’m wondering why you support the breaking into the capitol.” DELUCA responded, “According to the constitution it’s our house.”

On January 8, 2021, DELUCA commented on a post on Instagram: “I got maced pretty bad about three times, and on top of that it was extremely windy, so it was blowing everywhere. While I do believe some people were placed there to cause chaos I don’t believe that people were faking being maced. Even if they were not directly hit, the wind was carrying it and affecting everyone.” Several minutes later, DELUCA commented a second time saying, “I used milk to get the mace/tear gas out of my eyes. I’ve heard for some people holding onions near their eyes and nose can protect them from the tear gas. I’m not 100% sure tbh.”

On January 14, 2021, DELUCA issued a lengthy statement on social media about January 6. Among other things, DELUCA stated: “I was there on Jan. 6. I have mixed feelings. People went to the Capitol building because that’s Our House and that’s where we go to take our grievances. People feel, as do I that an election was stolen from them and it was allowed.”

On January 15, 2021, in an Instagram message, DELUCA suggested that the former president should declare martial law and overturn the election: “So it talks about how to save the election with all the fraud that’s happened. I can see from the notes that he suggests martial law. If Trump declares martial law in 7 states, his campaign allies could take control of the state’s ballots & overturn the results of the election in Trump’s favor. Which would be ideal.”

DELUCA also acknowledged deleting Instagram posts from her profile in the immediate aftermath of January 6. On January 9, 2021, an acquaintance messaged DELUCA on Instagram, “Not sure if this is right but your profile shows only 9 posts.” DELUCA replied, “Yes I deleted a lot of my posts.” Further review of DELUCA’s Instagram profile revealed there were no posts (as opposed to direct messages) between November 27, 2020 and January 11, 2021. Based on my knowledge, training, and experience, people who commit criminal acts will often delete information about those acts from social media accounts in an attempt to thwart any subsequent criminal investigation.

More recently, on December 5, 2023, your affiant interviewed employees of the apartment building where DELUCA currently resides. Your affiant showed one of the employees a photograph of DELUCA from her Instagram account, and the employee positively identified the person in the photograph as DELUCA. Your affiant then provided the same employee, who regularly sees DELUCA at the apartment building, with six photographs of DELUCA at the U.S. Capitol on January 6, 2021. The employee positively identified DELUCA in each of the six photographs. Additionally, through my own investigation, including reviewing DELUCA’s driver’s license photo, DELUCA appears to be the same person in the screenshots above and other video footage collected on January 6, 2021.

Violations of Federal Criminal Law

Based on the foregoing, your affiant submits there is probable cause to believe that DELUCA violated 18 U.S.C. §§ 641 and 2, which makes it a crime to embezzle, steal, purloin, or knowingly convert to her use or the use of another, or without authority, sell, convey or dispose of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or to aid and abet the commission of such offense.

Your affiant also submits that there is probable cause to believe that DELUCA 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 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.

Your affiant further submits there is probable cause to believe that DELUCA 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.

[REDACTED]

[REDACTED]

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 28th day of February 2024.

HON. ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE