

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer assigned to the Scranton Resident Agency, Philadelphia Division, of the FBI. In my duties as a Task Force Officer, I investigate violations of federal law. 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.

BACKGROUND

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.

I. JARRETT SCOTT, TIGHE SCOTT, SCOTT SLATER JR. AND SCOTT SLATER SR.'s PARTICIPATION IN THE EVENTS OF JANUARY 6, 2021

According to body-worn camera footage and publicly available footage, four men identified as JARRET SCOTT, TIGHE SCOTT (collectively, “the SCOTTS”), SCOTT SLATER JR. (“SLATER JR.”), and SCOTT SLATER SR. (“SLATER SR.”) (collectively, “the SLATERS”) entered restricted United States Capitol grounds and physically engaged with police officers attempting to secure those grounds on January 6, 2021. As set forth below, there is probable cause to believe that the SCOTTS and SLATER JR. violated 18 U.S.C. §§ 111 (assaulting, resisting, or impeding certain officers), § 1752(a)(4) (engaging in violence in a restricted building or grounds); and 40 U.S.C. § (e)(2)(F) (physical violence in Capitol Building or Grounds). There is also probable cause to believe that the SCOTTS and the SLATERS committed violations of 18 U.S.C. §§ 231(a)(3) (obstructing officers during a civil disorder); 1752(a)(1) (entering or remaining in restricted buildings or grounds); 1752(a)(2) (disorderly or disruptive conduct in a restricted building or grounds); and 40 U.S.C. §§ (e)(2)(D) (disorderly or disruptive conduct in a Capitol Building or Grounds).

The FBI identified the SCOTTS and the SLATERS, pictured in Images 1 through 4 below, during its investigation of the events of January 6, 2021. According to my investigation, the SCOTTS and the SLATERS stayed with each other throughout the day on January 6, 2021, including during their time on restricted Capitol grounds. The identification of the SCOTTS and the SLATERS is described in more detail in Section II.



Image 1: Jarrett Scott



Image 2: Tighe Scott



Image 3: Scott Slater Jr.



Image 4: Scott Slater Sr.

Publicly available footage shows that the SCOTTS and the SLATERS attended the Stop the Steal rally in Washington, D.C. on January 6, 2021. Multiple images show the four men together at the rally. *See, e.g.,* Image 5, below. In all images below, JARRETT SCOTT is circled in red, TIGHE SCOTT is circled in yellow, SCOTT SLATER JR. is circled in green, and SCOTT SLATER SR. is circled in blue.



Image 5: The Scotts and the Slaters on January 6, 2021

During or after the rally, the SCOTTS and the SLATERS went to the United States Capitol building. Video footage shows the SCOTTS and the SLATERS on the Upper Northwest Terrace of the Capitol building as police officers attempted to clear rioters from that area.

By approximately 3:49 P.M., SLATER JR. began yelling at the line of officers attempting to clear the area.



Image 6: Clip of body worn camera footage showing Slater Jr. on the Upper Northwest Terrace of the Capitol Building at approximately 3:49 p.m.

JARRETT SCOTT and TIGHE SCOTT were also on the Northwest Terrace of the U.S. Capitol building by at least 3:50 p.m.



Image 7: Screenshot of body worn camera showing Tighe and Jarrett Scott on the Northwest Terrace of the Capitol building.

At approximately, 3:59 p.m, SLATER JR. moved closer to the officers and yelled, “fuck you motherfucker” in their direction. See Image 8, below. An officer yelled, “back up” and “back up now” towards the crowd.



Image 8: Screenshot of body worn camera footage showing Slater Jr. yelling at an officer

SLATER JR. then picked up a flag pole and threw it towards the line of officers, see Image 9, striking one of the officers, as shown in Image 10, below.

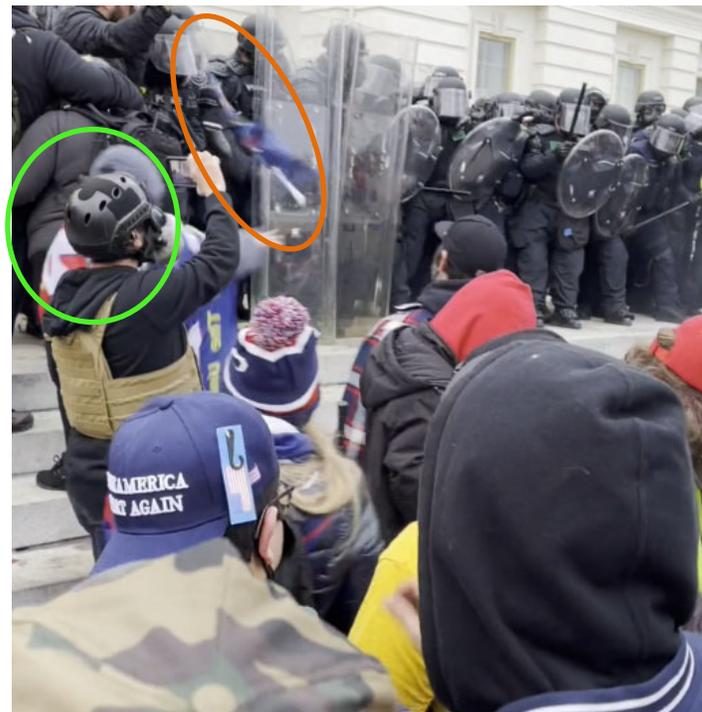


Image 9: Screenshot of Slater Jr. throwing flag (circled in orange) at police line

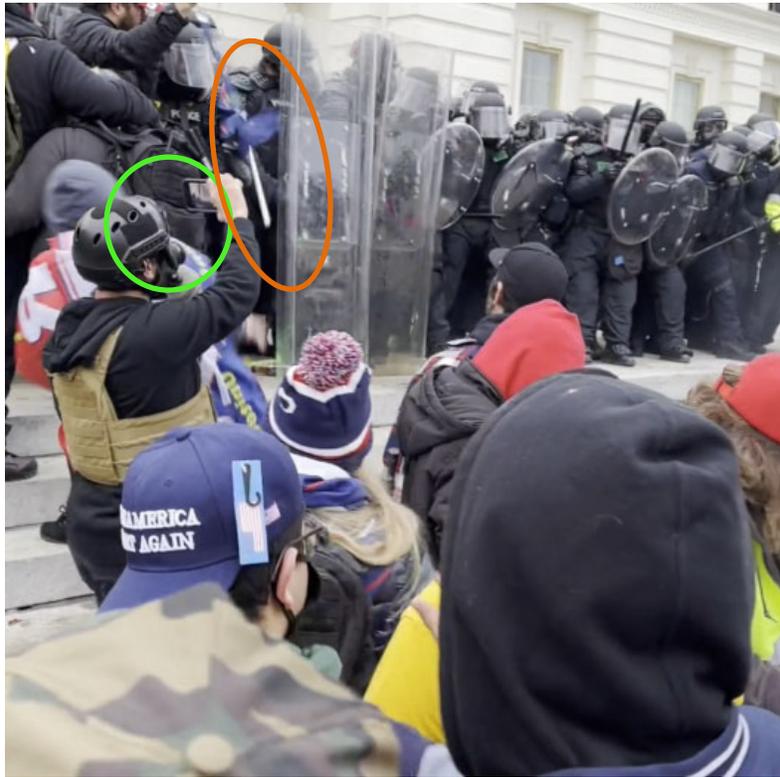


Image 10: Screenshot of Slater Jr. throwing flag (circled in orange) at police line

A few seconds later, SLATER JR. picked up an “AREA CLOSED” sign, which I know to have been used by the United States Capitol Police to mark the restricted perimeter around the Capitol on January 6, and threw that sign at the line of officers.



Image 11: Screenshot of Slater Jr. throwing “Area Closed” sign at officers

According to my investigation, the SLATERS and the SCOTTS remained in the area even after the officers deployed crowd control devices. For example, as shown by the green residue in Image 10, above, the officers likely deployed a smoke grenade at approximately 3:59 p.m. Just over a minute later, at approximately 4:01 p.m, SLATER SR. approached the the officers and waved other rioters towards that police line. Image 12 below is a screenshot from video footage depicting SLATER SR. waving others towards that police line. JARRETT SCOTT stood next to SLATER SR. and verbally confronted the officers at the same time.



Image 12: Footage of Slater Sr. and Jarrett Scott in front of police line

A few seconds later, SLATER JR. approached that police line and yelled, among other things, “fuck you!” and “let’s go motherfucker” at the line of officers:



Image 13: Screenshot of Slater Jr. confronting police line

The SCOTTS and the SLATERS resisted and confronted the police line as that line cleared the Upper Northwest Terrace of the Capitol building and moved towards the Northwest steps. For example, while walking by a line of officers at the top of those steps, at approximately 4:26 p.m., TIGHE SCOTT hit Montgomery County Officer S.G.’s shield.



Image 14: Screenshot of body worn camera showing Tighe Scott hitting Officer S.G.’s shield

At approximately 4:47 p.m., JARRETT SCOTT approached a line of law enforcement officers on the West Terrace of the U.S. Capitol and began speaking to them, including mentioning “Pence,” which I know to be a reference to then-Vice President Mike Pence.

Shortly thereafter, law enforcement began to yell “police, move back” and attempted to clear the area. At approximately 4:48 p.m., SLATER SR. began pushing against an officer’s riot shield as the officers repeatedly commanded the rioters to “move back” and attempted to descend down the steps.



Image 15: Screenshot from body worn camera showing Slater Sr. and Jarrett Scott

Around the same time, JARRETT SCOTT and SLATER JR. also began pushing against Montgomery County Officers B.D. and S.G.'s shields and TIGHE SCOTT began to approach the line of officers:



Image 16: Screenshot from body worn camera showing Jarrett Scott pushing Officer B.D. and S.G.'s shields



Image 17: Screenshot from body worn camera showing Slater Jr. pushing against riot shield

JARRETT SCOTT held a golf club, circled in orange in Image 18, while pushing the officers' shields. SLATER SR. also held a similar golf club during this time, and pushed against the shield with his other hand.



Image 18: Screenshot from body worn camera showing Jarrett Scott using a golf club (circled in orange) to push against riot shield and Slater Sr. pushing against the same shield

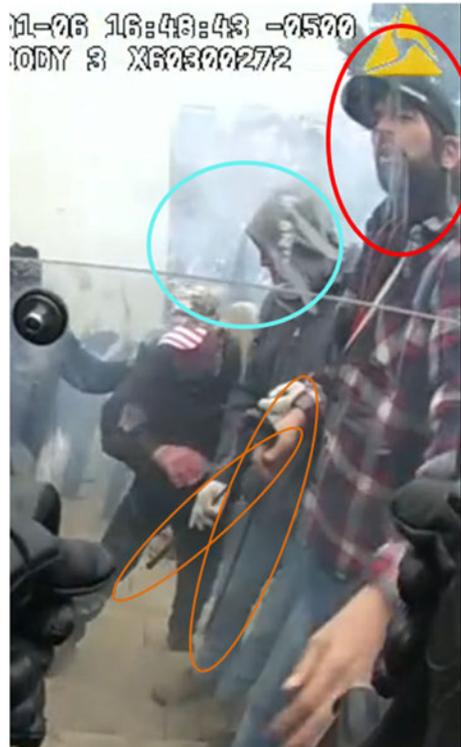


Image 19: Screenshot showing Jarrett Scott and Slater Sr. holding golf clubs (circled in orange)

At approximately 4:49 p.m., as officers continued to yell, “move back,” SLATER JR. pushed against Officer B.D.’s riot shield. See Image 20.



Image 20: Screenshot from body worn camera showing Slater Jr.. pushing against shield

SLATER JR. then repeatedly struck the officers’ shields:



Image 21: Screenshot from body worn camera showing Slater Jr. striking shield

At approximately the same time, TIGHE SCOTT placed his hands on Montgomery County Officers S.G. and W.T.'s shields and pushed. JARRETT SCOTT appeared to raise a golf club as if preparing to strike officers with it.



Image 22: Screenshot from body worn camera showing Tighe Scott pushing Officer S.G.'s and W.T.'s shields

SLATER JR. turned towards the officers engaged with TIGHE SCOTT and, based on my training and experience, attempted to use his bodyweight to resist the officers attempting to clear the steps. During the encounter, TIGHE SCOTT's hat fell off.



Image 23: Screenshot from body worn camera showing Tighe Scott and Slater Jr.



Image 24: Screenshot from body worn camera showing Slater Jr. pushing against officers

TIGHE SCOTT grabbed Officer W.T.'s shield and attempted to rip the shield out of Officer W.T.'s hands.



Image 25: Screenshot from body worn camera showing Tighe Scott grabbing shield

JARRETT SCOTT placed his hands on TIGHE SCOTT's back, apparently helping TIGHE SCOTT push against officers.



Image 26: Screenshot from body worn camera showing Tighe Scott and Jarrett Scott

SLATER JR. pulled one of the officer's riot shields, causing that officer to fall on the steps.



Image 27: Screenshot from body worn camera showing Slater Jr. pulling an officer's shield

At the same time, TIGHE SCOTT continued to push against Officer W.T.'s riot shield:



Image 29: Screenshot from body worn camera showing Slater Jr. pulling an officer's shield and Tighe Scott pushing against an officer's shield

At around the same time, SLATER SR. approached the officers, wielding the metal golf club, and pushed against Officer S.G.'s shield, as shown below.



Image 28: Screenshot from body worn camera showing Slater Sr. approaching Officer S.G. with a golf club in his hand

Officer W.T. was able to dislodge TIGHE SCOTT from the shield and TIGHE SCOTT fell backwards, knocking JARRETT SCOTT (and his golf club) backwards as well. Afterwards, JARRETT SCOTT yelled at officers, calling them “bitches” and “vaginas,” and saying “fuck you all” and “you fat motherfucker.” SLATER JR. also yelled at the officers, “how do you feel coming down while I’m pulling ya?”



Image 30: Screenshot from body worn camera showing Jarrett Scott making a rude gesture



Image 31: Screenshot from body worn camera showing Jarrett Scott and Slater Jr. yelling

A few minutes later, SLATER JR. again attempted to resist the officers clearing the steps. At approximately 4:53 p.m., SLATER JR. jabbed an officer with his elbow and/or bodweight as that officer attempted to move down the steps.



Image 32: Footage showing Slater Jr. using his elbow to physically confront the line of officers

SLATER JR. began walking down the steps, but then charged at officers again approximately a minute later, using his bodyweight to make contact with a least one of those officers, as shown below.



Image 33: Screenshot from body worn camera showing Slater Jr. using his bodyweight to physically confront the line of officers

II. IDENTIFICATION OF JARRETT SCOTT, TIGHE SCOTT, SCOTT SLATER JR., AND SCOTT SLATER SR.

A. Identification of Jarrett Scott

Since January 6, 2021, the FBI has been investigating and identifying those who assaulted law enforcement officers on Capitol grounds. During the investigation, the FBI preliminarily identified an individual as #441-AFO:



Image 34: One of the images of the individual the FBI preliminarily identified as #441-AFO

Image 34, above, is a screenshot from body worn camera from January 6, 2021, on Capitol grounds.

On March 12, 2023, Person 1 called the FBI National Threat Operations Center and reported that #441-AFO is JARRETT SCOTT who lives in Pen Argyle, Pennsylvania. Person 1 stated that Person 1 lives in the same area as Jarrett Scott.

On October 16, 2023, law enforcement interviewed Person 1 at Person 1's home. Person 1 has personally known JARRETT SCOTT for a few years and sees JARRETT SCOTT in the community approximately once a month. Law enforcement showed Person 1 images of #441-AFO from January 6, including Image 34, above, and Person 1 identified the individual in those images as JARRETT SCOTT. Person 1 reported that JARRETT SCOTT is married and identified the name of JARRETT SCOTT's wife. Person 1 also provided law enforcement with a SnapChat message showing an individual standing behind a reporter near the Capitol on January 6, 2021, as shown in Image 35 (below). The sender included a message "Is that J Scott on Fox smoking a dart." In the image, the individual is making a rude gesture to the camera. Person 1 identified the individual making the rude gesture (circled in red) as JARRETT SCOTT.



Image 35: SnapChat message that Person 1 provided to law enforcement

Pennsylvania Department of Transportation records show a Jarrett Carl Scott with an address in Saylorsburg, Pennsylvania, approximately 6 miles from Pen Argyl, Pennsylvania. In addition, from publicly available information, I determined that a JARRETT SCOTT is married to someone with the same name as the individual identified by Person 1. JARRETT SCOTT's wife has a publicly available Facebook page that states that she lives in Saylorsburg, Pennsylvania, and includes the following cover photograph:



Image 36: Screenshot from Jarrett Scott's wife's Facebook page

The Facebook page has other images, including Image 37 (below).



Image 37: Screenshot of picture on Jarrett Scott's wife's Facebook page

Based on the investigation, including my review of JARRETT SCOTT's Pennsylvania driver's license photograph, the information provided by Person 1, and my review of images publicly available on JARRETT SCOTT's wife's Facebook page, I believe that #441-AFO is JARRETT SCOTT.

B. Identification of TIGHE SCOTT

During the investigation into identifying those who assaulted law enforcement officers on Capitol grounds on January 6, 2021, the FBI preliminarily identified an individual as #451-AFO:



Images 38 (left), 39 (middle), and 40 (right): Images of the individual the FBI preliminarily identified as #451-AFO (images from open source videos)

On January 4, 2022, the FBI received a tip from Person 2. Person 2 identified #451-AFO as TIGHE SCOTT. Person 2 stated that they do not know TIGHE SCOTT personally, but knows that TIGHE SCOTT is a retired NASCAR driver. Person 2 provided the FBI with a link to an article in dirtrackdigest.com¹ that included information about TIGHE SCOTT. The article reports that TIGHE SCOTT lives in Pen Argyl, Pennsylvania, near his grandchildren. It also includes the following image of TIGHE SCOTT:



Image 41: Screenshot of picture of Tighe Scott from dirtrackdigest.com

TIGHE SCOTT has a scar on his chin that appears identical to a scar visible in some of the images of #451-AFO.

¹ <https://www.dirtrackdigest.com/columns/2018/06/05/this-that-nostalgia-night-dtd-exclusive/>



Closeup of Image 41 (left) and Image 38 (right): Image of Tighe Scott (left) with scar circled in green and #451-AFO (right) with scar circled in orange

I reviewed Pennsylvania Department of Transportation records for TIGHE SCOTT, including TIGHE SCOTT's driver's license photograph. According to those records, TIGHE SCOTT resides in Pen Argyl, Pennsylvania. His driver's license photograph shows the same distinctive scar depicted above.

Body camera footage shows that #451-AFO and JARRETT SCOTT were in an altercation with law enforcement on the West Terrace of the Capitol at approximately 4:48 p.m. During that altercation, #451-AFO fell backwards. Body worn camera footage shows JARRETT SCOTT saying "fuck you, you knocked down my father."

During Person 1's October 16, 2023, interview, Person 1 said that they attended youth sporting events in the community and that one of JARRETT SCOTT's children played in those events. Person 1 identified the individual identified in Images 8-10 (above), as that child's grandfather, but was unsure whether the individual was JARRETT SCOTT's father or his father-in-law. Person 1 stated that they saw the individual in Images 8-10 at numerous youth sporting events in the community.

Based on the investigation, including my review of TIGHE SCOTT's Pennsylvania driver's license photograph, the information provided by Person 1, and the information provided by Person 2, I believe that #451-AFO is TIGHE SCOTT.

C. Identification of SCOTT SLATER JR. and SCOTT SLATER SR.

On April 18, 2022, the FBI Philadelphia, Scranton Resident Agency received information from FBI Washington in reference to BOLO #440 and BOLO #498, both shown below, identifying BOLO #440 as SCOTT SLATER JR. and BOLO #498 as SCOTT SLATER SR. The FBI ran preliminary checks which revealed that both SLATER JR. and SLATER SR. are Pennsylvania residents with valid Pennsylvania drivers' licenses.



Image 42: BOLO #440



Image 43: BOLO #498

On April 20, 2022, an FBI Task Force Officer and an FBI Special Agent interviewed SCOTT SLATER SR. at his home. During his interview with the FBI, SLATER SR. admitted to being on the steps of the Capitol building on January 6, 2021. He further stated that he did not observe any violence towards police or individuals causing damage, that neither he nor his son assaulted anyone or committed any crimes while at the Capitol on January 6, and that neither he nor his son entered the Capitol on January 6.

The FBI showed SLATER SR. the below photographs of BOLO #498, including Image 60:



Image 44: BOLO #498 photographs shown to Scott Slater Sr.

SLATER SR. identified himself and his son in the images above. He also identified his son in the images shown below of BOLO #440, including Image 42.



Image 45: BOLO #440 photographs shown to Scott Slater Sr.

The interviewing TFO further confirmed that SLATER SR. is the individual pictured above as BOLO #498, as well as in the Images cited in Section I, also above.

The FBI interviewed SLATER JR. telephonically at a phone number registered to SLATER JR. SLATER JR. confirmed that he was at the United States Capitol Building on January 6, 2021 with his father. SLATER JR. stated that he did not witness any violence or destruction of property, but that he and his father were on the steps of the Capitol when some “shoving” occurred. An agent asked what SLATER JR. meant by “shoving,” and SLATER JR. responded that he and his father pushed and were pushed by officers on the Capitol steps.

SLATER JR. further confirmed he was wearing a grey hooded sweatshirt and had a flag wrapped around his body while on the steps of the Capitol. The FBI informed SLATER JR. that his father had previously identified him in images from January 6, 2021, to which SLATER JR. responded that his father would definitely be able to identify both SLATER JR. and SLATER SR. in photographs.

* * * *

Based on the foregoing, your affiant submits that there is probable cause to believe that JARRETT SCOTT, TIGHE SCOTT, SCOTT SLATER JR., and SCOTT SLATER SR. 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; (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. There is also probable cause to believe that JARRETT SCOTT, TIGHE SCOTT, and SCOTT SLATER JR., violated 18 U.S.C. § 1752(a)(4), which makes it a crime to (4) knowingly engage in any physical act of violence against any person or property in any restricted building or grounds. 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 JARRETT SCOTT, TIGHE SCOTT, SCOTT SLATER JR., and SCOTT SLATER SR. violated 40 U.S.C. § 5104(e)(2)(D) 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. There is also probable cause to believe that JARRETT SCOTT, TIGHE SCOTT, and SCOTT SLATER JR., 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.

Your affiant submits there is probable cause to believe that JARRETT SCOTT, TIGHE SCOTT, SCOTT SLATER JR., AND SCOTT SLATER SR. 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.

Your affiant submits that there is probable cause to believe that JARRETT SCOTT, TIGHE SCOTT, and SCOTT SLATER JR. 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. Your affiant further submits that there is probable cause to believe that SCOTT SLATER JR. violated 18 U.S.C. § 111(b), 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, while using a deadly or dangerous weapon or inflicting bodily injury. 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.



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

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE