

STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (FBI), assigned to the San Antonio Field Office, Austin Resident Agency. Currently, I am 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. This statement of facts is intended to show merely that there is sufficient probable cause for the issuance of a criminal complaint and does not set forth all my knowledge about this matter.

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.

Identification of Geoffrey Shough

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.

As part the investigation into unlawful conduct that occurred in and around the U.S. Capitol Building on January 6, 2021, the FBI obtained cell phone video footage that included video of a white male outside the U.S. Capitol building, walking back and forth on restricted U.S. Capitol grounds on January 6, 2021. The individual was waving a Texas flag and wearing a jacket that was orange-brown in color, over what appears to be a body armor vest with a Texas flag patch, a ballistic-style helmet, goggles, hard-knuckle gloves, and a tan pouch attached at his hip. During playback of the video, the individual is heard stating that he is from Austin, Texas. Still images from the video were placed on an FBI “Be on the Lookout” poster (BOLO) and released by the FBI in order to obtain public assistance in identifying unidentified subject #256. The images released by the FBI are shown below:

256A



256B



Closed Caption Television (CCTV) footage from inside the U.S. Capitol Building on January 6, 2021 shows an individual unlawfully present in the Hall of Columns at approximately 3:02 p.m., wearing the same clothes without the goggles, but with a gaiter pulled up over the lower part of his face (circled in red).



On March 17, 2021, an individual (Tipster 1) submitted an online tip to the FBI in response to the BOLO. Tipster 1 identified unidentified subject #256 as Geoffrey Shough (Shough) of Austin, Texas. Tipster 1 stated that he/she had not personally met Shough, but submitted the online tip on behalf of another individual (Tipster 2) with personal knowledge of the identity of Shough. Tipster 1 provided contact information for him/herself, Tipster 2, and Shough’s girlfriend, L.T.

On May 10, 2021, FBI Agents interviewed L.T. by telephone. L.T. stated that she had been dating Shough until the prior week, at which time they broke up. L.T. explained that Shough was visiting friends in Washington, D.C., on January 6, 2021, and had previously expressed an interest in attending the “Stop the Steal” rally while he was in Washington, D.C. L.T. confirmed that Shough had a cognac-colored leather jacket. After the interview, the FBI sent L.T. three images that were captured on January 6, 2021 – the two images from the FBI BOLO (Photograph #256A and Photograph #256B) and the image shown below:



L.T. replied via email in response to the images, “yes, this looks like him.”

On May 11, 2021, FBI Agents interviewed L.T. at her residence. She was shown two images of unidentified subject #256 – enlarged versions of Photograph #256B and the image shown directly above of an individual carrying the Texas flag – and also was shown the video

recording obtained by the FBI that led to the BOLO. L.T. stated that the voice of the individual in the video had a similar cadence to that of Shough, but that she had never heard him yell and therefore could not positively identify the voice. L.T. stated that the person in the photo without the helmet looked like Shough, and that she was fairly certain that it was him. L.T. stated that she had never seen the Texas flag in the images, but she recognized the jacket in the images as Shough's jacket.

On May 19, 2021, FBI interviewed Tipster 2. Tipster 2 stated that he/she met Shough in person approximately 15 times. Tipster 2 identified L.T. as Shough's girlfriend and identified the make of Shough's vehicle. Tipster 2 also stated that Shough owned a motorcycle. FBI agents showed Tipster 2 three images that were captured on January 6, 2021 – the two images from the FBI BOLO (Photograph #256A and Photograph #256B) and the image shown above of an individual carrying the Texas flag. Tipster 2 stated that he/she was fairly certain that the individual in the pictures was Shough, particularly because Shough owned a motorcycle (explaining the motorcycle gloves) and closely resembled the man in the pictures.

I also reviewed videos and images that are publicly available over the internet through video-sharing websites and/or social media platforms. Multiple third-party entities without personal knowledge of Shough created websites which posted, aggregated, and categorized videos in an effort to identify individuals who might have committed criminal acts on January 6, 2021. Certain unknown subjects were given a nickname for the logical categorization of their social media appearances. Shough was given the hashtag name of “#TexasPleather,” based upon the jacket he wore and Texas flag that he carried on January 6, 2021. The open-source videos and still images of Shough, four of which are included below, show Shough on restricted U.S. Capitol grounds, assisting other individuals over a wall, standing directly outside the Senate Wing Door of the U.S. Capitol Building, and walking inside the U.S. Capitol Building on January 6, 2021.

(1)



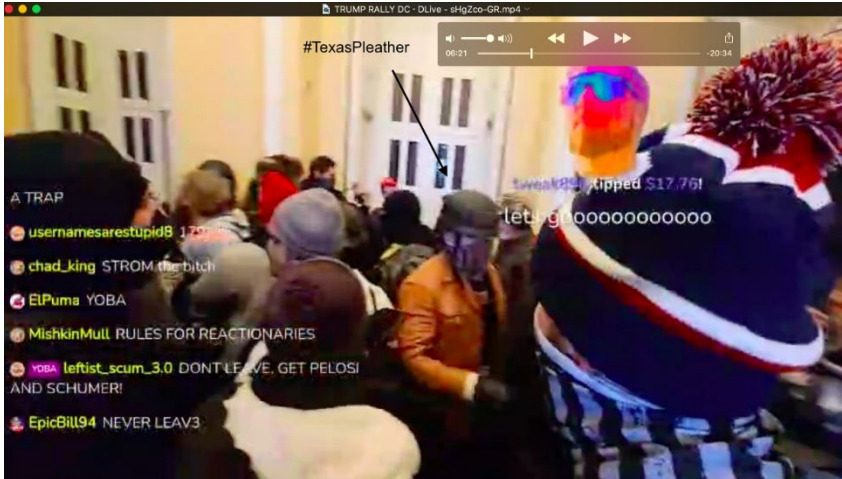
(2)



(3)

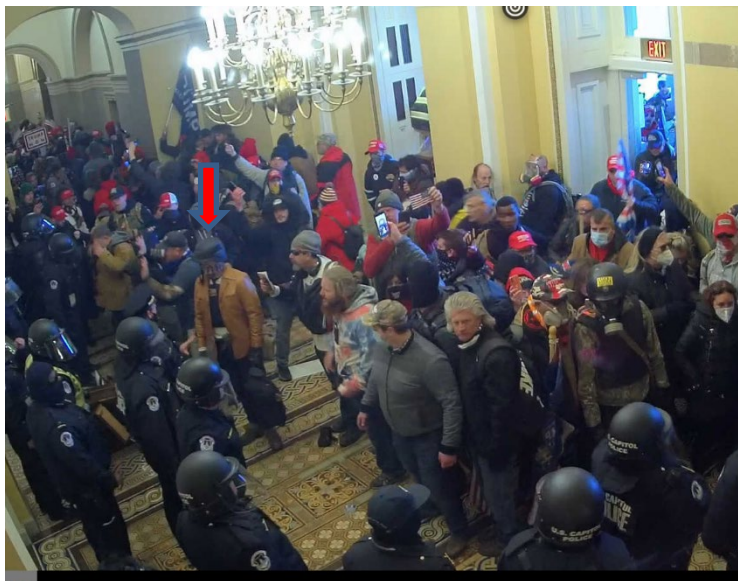


(4)



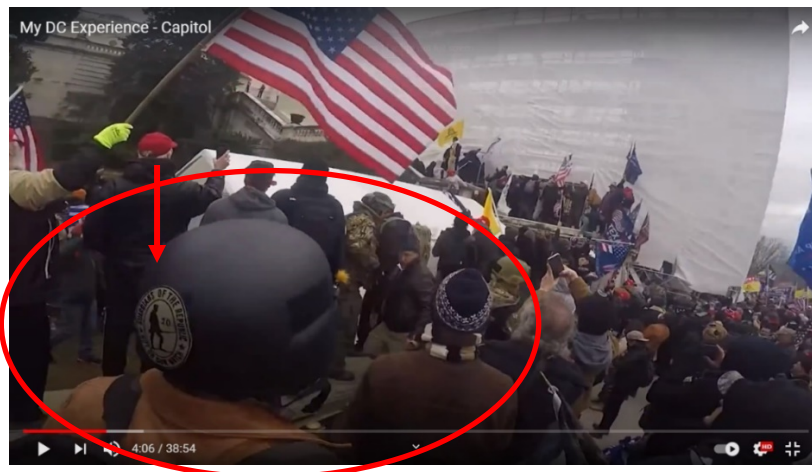
Open-source images (2) and (3) show Shough directly outside the Senate Wing Door and appear to have been captured around 2:45 p.m. on January 6, 2021. Accordingly, I reviewed CCTV footage from inside the Senate Wing door of the U.S. Capitol Building recorded at approximately that time. The footage shows Shough forcibly entering the U.S. Capitol Building during the second breach of the Senate Wing Door at 2:48 p.m. Shough was among the first few individuals to breach a line of uniformed Capitol Police Officers who were attempting to prevent the rioters from entering the Capitol. The rioters overwhelmed the officers and entered the U.S. Capitol. Shough then appears to have engaged in an animated conversation with one or more of the Capitol Police Officers before moving further into the U.S. Capitol Building.





During the course of the investigation, law enforcement obtained Shough's bank records for the period of time shortly before and after the offenses of January 6, 2021. Shough's bank statements show financial transactions on January 6, 2021, in the vicinity of Washington, D.C. One of these transactions was a charge for a parking garage located at 1530 Wilson Boulevard, Arlington, Virginia (Colonial Parking location 417) at 5:31 p.m. The charge from the financial records was \$12 for the parking garage, which corresponded to the maximum daily charge for that garage.

In addition, Shough's financial records showed a December 17, 2020, payment of \$129.99 to "Oath Keepers." In images from January 6, 2021, I observed a patch or decal on the back of Shough's helmet that matches the logo from the Oath Keepers website (<https://oathkeepers.org>), as shown below.



Financial records obtained in the investigation also reflect a December 16, 2020 purchase from I AmEricas Flags for a Vintage Antiqued Sewn Nylon 3x5 Texas Flag (pictured below).

Based upon my examination of pictures of the flag that Shough purchased and the flag carried by the individual in pictures of unidentified subject #256 at the U.S. Capitol, the flag appears to be the same one, as shown below.



Shough's bank records also show that his debit card was used at a Whole Foods grocery store in Vienna, Virginia on January 5, 2021, and January 6, 2021; Jaleo restaurant in Washington, D.C. on January 5, 2021; Bikenetic bike shop in Falls Church, Virginia at 11:40 a.m. on January 6, 2021; an Exxon Mobil gas station in Vienna, Virginia on January 7, 2021; and a Residence Inn in Vienna, Virginia on January 9, 2021 (in a transaction authorized on January 4, 2021).

Based on the foregoing, your affiant submits that there is probable cause to believe that Geoffrey Samuel Shough violated 18 U.S.C. § 231(a)(3), which makes it unlawful to commit or attempt to commit an act to obstruct, impede, or interfere with a 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, 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.

I submit that there also is probable cause to believe that Geoffrey Samuel Shough 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; 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.

Finally, I submit that there is probable cause to believe that Geoffrey Samuel Shough 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.



Special Agent, FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 17th day of February 2022.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE