

## STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer (TFO) assigned to the Federal Bureau of Investigation (FBI) Columbia Field Office, Joint Terrorism Task Force (JTTF) since February 2018. In my duties as a task force officer, I have conducted investigations of persons using violent rhetoric to encourage or support violence by others. Often, these investigations are intertwined with criminal acts, such as vandalism, arson, desecration, and other destructive acts. I am also a Public Safety Bomb Technician, certified by the FBI as such since March 2019. In my law enforcement career, I have investigated various violations of criminal law, including white collar crime, cyber-crime, violent crimes, and possession or use of destructive devices. During my tenure with the FBI, I have participated in numerous criminal and terrorism investigations. 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.

### **FACTS SPECIFIC TO THIS CASE**

As part of the overall investigation into the riots and violent entry of the United States Capitol Building, the FBI gathered hours of surveillance footage, media footage, handheld footage, and other imagery gathered by citizens, the media, law enforcement officers, and suspects that were captured during the January 6 events. As part of reviewing this imagery, the FBI identified numerous persons of interest. Images were published online and distributed through media outlets in an effort to generate possible leads to be used in identifying suspects. Some of these images, depicted below, were published under the designation FBI BOLO #363-AFO. The individual shown in FBI BOLO #363-AFO is a white male with light brown facial hair, shown wearing a dark grey cap with design on the front, black face mask, American flag gaiter or scarf around the neck, black jacket, and backpack. The subject was captured on camera spraying law enforcement officers with an orange colored spray, presumed to be a chemical irritant.

***FBI BOLO #363-AFO***



Images 1, 2 - from "FBI BOLO #363-AFO" <https://www.fbi.gov/wanted/capitol-violence>



**Image 3 - BWC screenshot of FBI BOLO #363-AFO**

Based on my knowledge and experience in investigating the January 6 riots, I know that several suspects in the riots utilized a chemical irritant spray, colloquially known as “bear spray” or “bear mace,” against police officers. This product is a type of chemical irritant spray marketed and designed for use to protect individuals against bear attacks and is not intended for use against humans. The individual shown in FBI BOLO #363-AFO is seen on Body-Worn Camera (BWC) footage recorded by officers of the DC Metropolitan Police Department (DCMPD) spraying presumed “bear spray” at law enforcement officers. At least one law enforcement officer, L.H., who is familiar with normal pepper spray through his training and who was sprayed by the orange chemical irritant, indicated his belief that the spray used against them was “bear spray.”

Photographs (Images #4 – 6) from relevant BWC video show the suspect from FBI BOLO #363-AFO spraying the orange chemical irritant at the officers. He is visible wearing the same

grey cap with design on the front, black face mask, American flag gaiter or scarf around the neck, black jacket, and backpack:



Image 4 - from “FBI BOLO #363-AFO” <https://www.fbi.gov/wanted/capitol-violence>



Image 5 - BWC screenshot FBI BOLO #363-AFO chemical irritant attack



Image 6 - BWC screenshot FBI BOLO #363-AFO chemical irritant attack



Public videos filmed by other persons present on Capitol grounds also captured the incident from the other perspective:



Image 7 - Public video from <https://jan6archive.com/youtube/0zyjCvDN4lg.mp4>  
timestamp approx.: 00:42:44



Image 8 - Public video from <https://jan6archive.com/youtube/0zyjCvDN4lg.mp4>  
timestamp approx.: 00:42:45



Image 9 - Public video from <https://jan6archive.com/youtube/0zvjCvDN4lg.mp4>  
timestamp approx.: 00:42:48

Following the events of January 6, law enforcement officers were interviewed regarding the numerous assaults against them during the riot. In an interview after January 6, DC Metropolitan Police Officer P.N. reported that rioters sprayed him with OC spray multiple times, exposed him to CS gas (a riot control chemical agent) without a gas mask many times, and sprayed him directly with “bear mace.” He reported that his lungs seized up, he experienced convulsions, and he could hardly breathe. In a separate interview, DC Metropolitan Police Officer L.H. indicated that rioters sprayed him once while he was on the line and again when he was near the stairs. Officer L.H. further advised that in relative terms, the oleoresin capsicum spray (“OC spray”) that he was sprayed with during training at the police academy was nothing compared to bear spray that he believes that he was sprayed with on January 6.

The attack by the FBI BOLO #363-AFO suspect and others pushed the police line back as and forced officers to retreat to a staircase. At this time, other members of the crowd continued to attack law enforcement on an ongoing basis. FBI BOLO #363-AFO can be seen remaining in the area after the attack.





**Image 10 – FBI BOLO #363-AFO leaving area after the assault. I added the yellow box.**

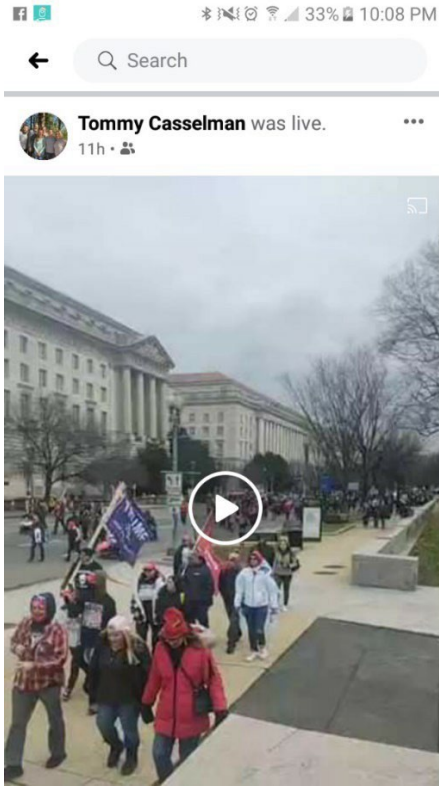
### **Identification of CASSELMAN**

As a result of the FBI’s publication of FBI BOLO #363-AFO, several tips were received from members of the public potentially identifying the suspect. While three tips suggested other people were possibly FBI BOLO#363-AFO, those subjects were eliminated as matches after further investigation. Other tips identified Thomas Andrew CASSELMAN of Walhalla, South Carolina, as the subject seen in FBI BOLO #363-AFO. These tips stated that CASSELMAN bragged about going to Washington D.C., told the tipsters he had been hit with tear gas while there, and shared photographs and videos from his time in D.C. after he returned. Tipsters shared screenshots from CASSELMAN’s Facebook account which confirmed that he was in the area of Washington D.C. during the time of January 6. Due to CASSELMAN deactivating his Facebook account for roughly a 3-month period, a search warrant for his account was unable to locate the media shown in the tipsters screenshots.

Tipsters provided the following Facebook photographs of CASSELMAN:



**Images 11, 12 - Facebook pictures of CASSELMAN provided by tipsters.**



**Images 13, 14 – Screenshots of CASSELMAN’s since-deleted social media account photographs, provided by tipsters.**

During an interview with a witness, Witness-1, the witness indicated that CASSELMAN cut his hair and deleted his social media account (Facebook) after the January 6 events. This statement was partially corroborated in interviews with Witness-2 and Witness-3 who both stated CASSELMAN cut his hair to avoid identification. Witness-1 and Witness-2 know CASSELMAN through mutual friends, while Witness-3 had a close relationship with CASSELMAN for at least one year.

During an interview, Witness-3 pointed to pictures of FBI BOLO#363-AFO and stated, “that’s him” (referring to CASSELMAN). Witness-3 stated the backpack seen on FBI BOLO#363-AFO’s back belongs to CASSELMAN, and Witness-3 also identified a wart on FBI BOLO#363-AFO’s left hand as being similar to one CASSELMAN has on his left hand. Image 15, below, identifies this backpack. Images 16, 17, 18, and 19 show the referenced wart.



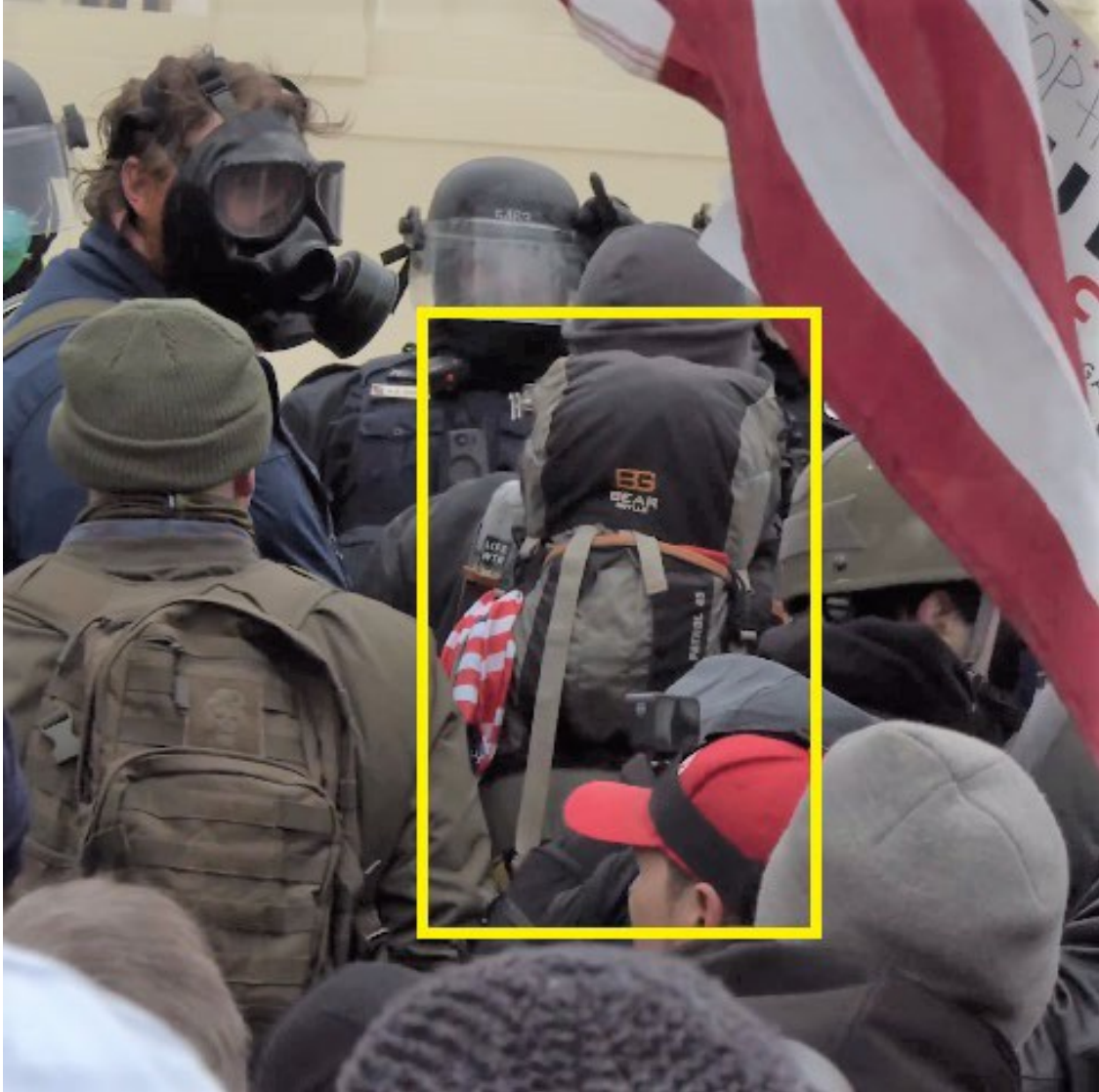


Image 15 - Public video <https://jan6archive.com/youtube/iNFcdpZdkh0.mp4>  
timestamp approx: 00:27:09. I added the yellow box to highlight CASSELMAN'S backpack.



## Interview of CASSELMAN

An FBI Special Agent and I interviewed CASSELMAN on December 28, 2021. CASSELMAN was interviewed in a public location and advised he had the right to leave and not make any statements. He was also advised, using a standard FBI form, that it is a federal crime to lie to or mislead agents of the FBI. CASSELMAN advised he understood these things and spoke freely with agents. CASSELMAN admitted to being in Washington, D.C. on January 6, 2021, and stated his father had purchased a train ticket for him in order for CASSELMAN to go to Washington D.C. CASSELMAN also advised that he suffered from post-traumatic stress disorder from January 6, and as a result, he deleted his photographs and social media accounts following that day. Without prompting, CASSELMAN followed that by stating “I don’t know if that falls under destruction of evidence.”

CASSELMAN provided me with an e-mail address during this interview, identifying it as his personal e-mail address and indicating that it was his email address in use at the time of January 6. The e-mail address given by CASSELMAN was \*\*\*\*\*castleman071@gmail.com. CASSELMAN also indicated the “Castleman” moniker is an alias he uses, as it is a “play on words” of his last name. When presented with a picture of FBI BOLO #363-AFO and asked if it was him, CASSELMAN declined to answer further question without a lawyer present.

Following the interview, I learned that the email address CASSELMAN provided to agents was created on or about December 18, 2021, well after the January 6 incident. At around the same time, agents had begun approaching family members of CASSELMAN to attempt to interview those family members. The timing of CASSELMAN’s creation of his new email address suggests that he may have been attempting to mislead agents.

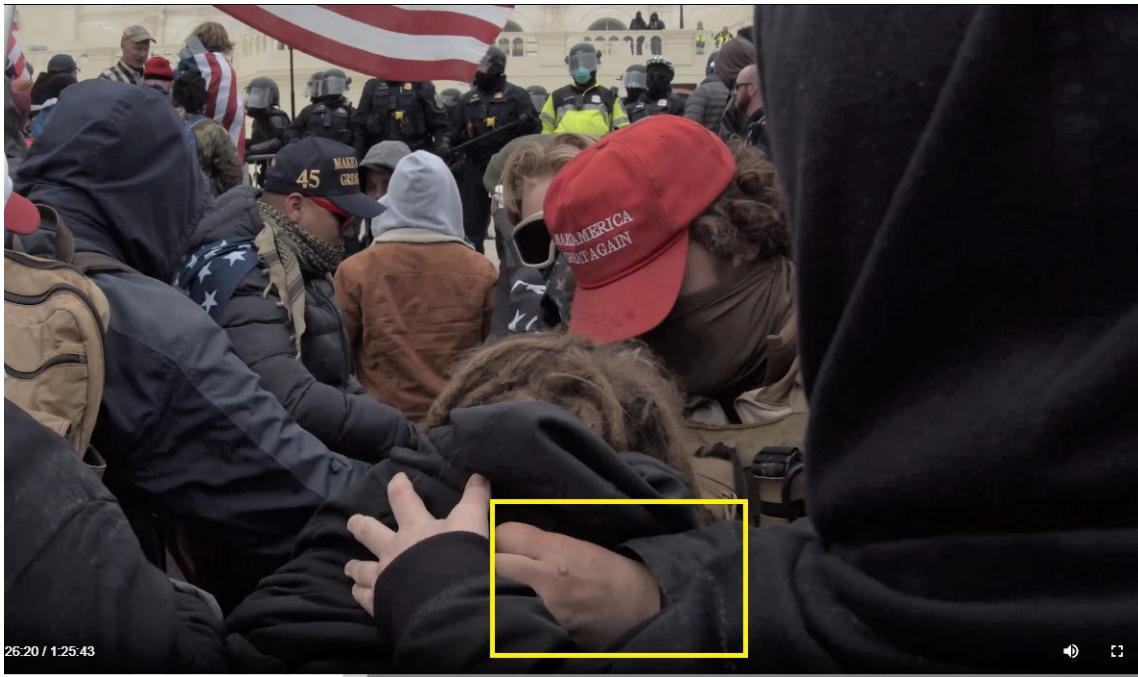
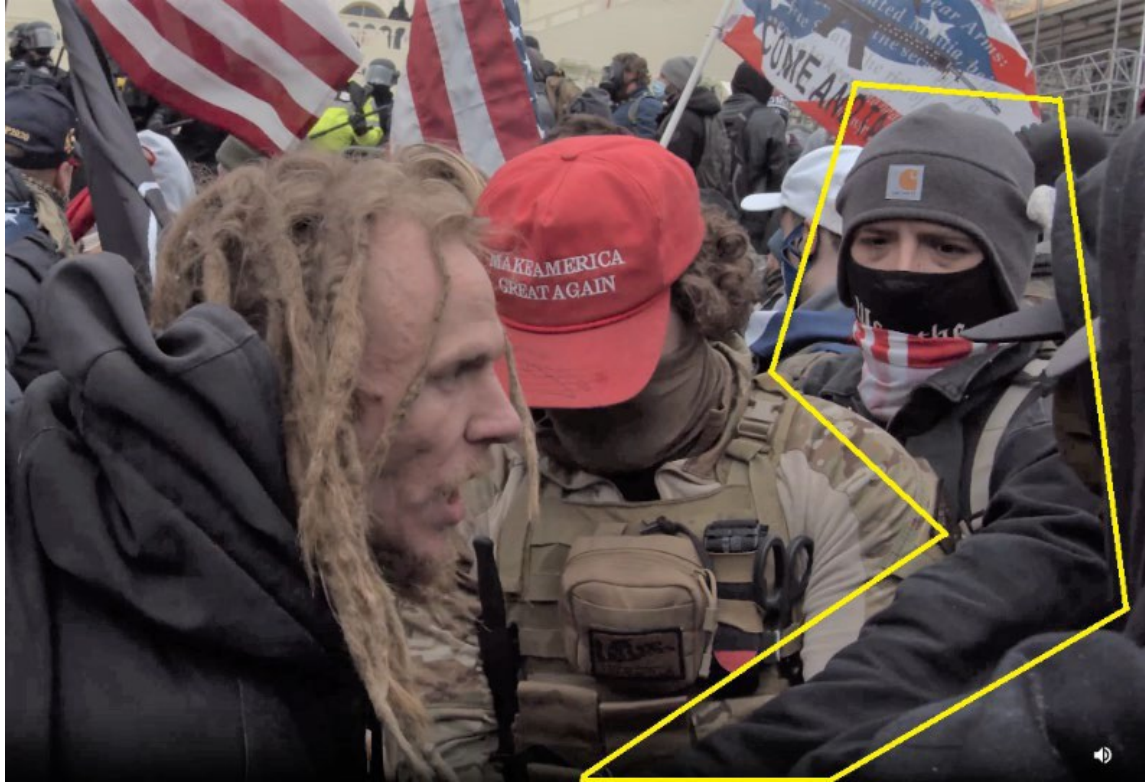
Having interviewed CASSELMAN and looked at his South Carolina’s Driver’s License, I believe the individual in the photographs identified as BOLO #363-AFO to be CASSELMAN.



**Image 16 – Photograph of CASSELMAN captured during interview on 12/28/2021.**



**Image 17– Photograph of CASSELMAN captured during interview on 12/28/2021. Note the wart on the left hand of CASSELMAN.**



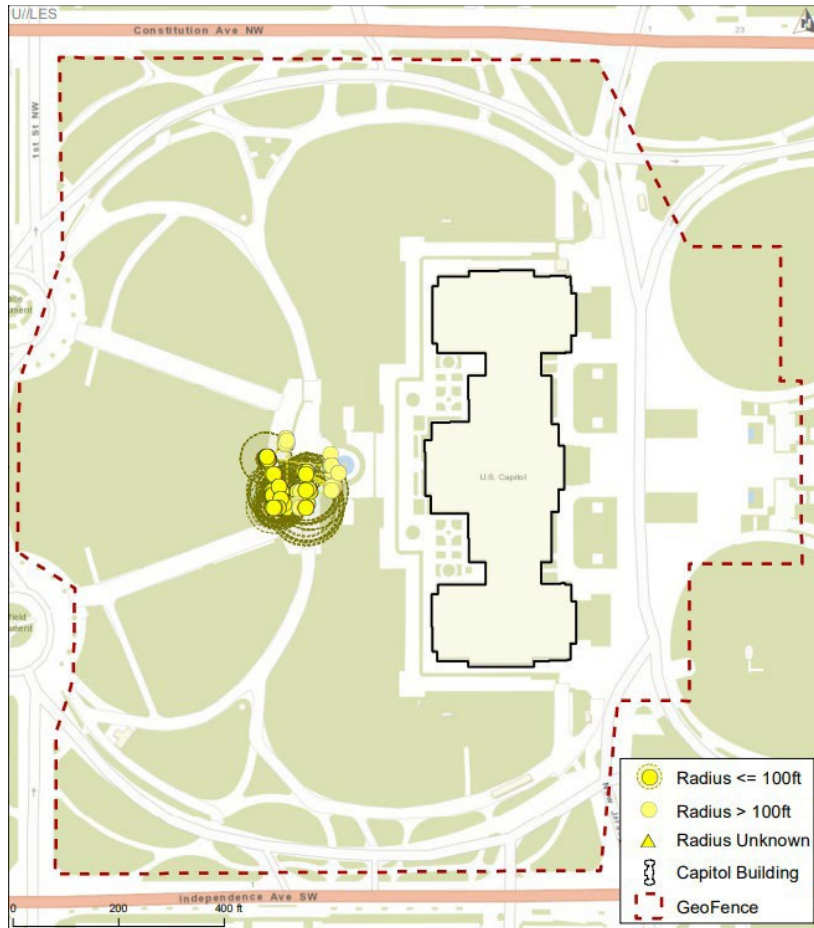
Images 18, 19 – Public video <https://jan6archive.com/youtube/iNFcdpZdkh0.mp4> timestamp approx: 00:26:20. I added the yellow box to help identify FBI BOLO #363 (CASSELMAN) and his hand. Note the wart located on left hand, similar to that on CASSELMAN’s left hand.

### **Email Accounts/Geolocation data**

Based on CASSELMAN's statement identifying "Castleman" as a moniker he uses, I located a different email account used by CASSELMAN (\*\*\*\*\*castleman17@gmail.com). Geolocation data obtained from federal search warrants previously served on social media providers revealed information that indicated the user of \*\*\*\*\*castleman17@gmail.com (hereinafter \*\*\*\*\*castleman17) was in the area of the west terrace plaza of the Capitol during the time of the FBI BOLO #363-AFO attack. Information from that search warrant further identified "\*\*\*\*\*castleman17" account as belonging to a Facebook account, "Thomas Castleman" (\*\*\*\*\*.castleman.\*\*).

According to records obtained through a geolocation search warrant served on Google and other social media providers, a mobile device (the "Device") associated with the \*\*\*\*\*castleman17 email address was present at the U.S. Capitol on January 6, 2021. In this case, Google location data shows that the Device was in close proximity of the U.S. Capitol building from approximately 1:51 PM to 3:42 PM on January 6, 2021. More specifically, the Device was near the west plaza steps, which is the same approximate location of the attack by FBI BOLO#363-AFO on law enforcement officers. Based on my training and experience, I know that the west plaza area where the yellow circles appear on the map below was within the restricted area on January 6, 2021.





**Image 20 – location of the CASSELMAN Device during January 6 incident.**

Google was subsequently served with a search warrant for the \*\*\*\*\*castleman17 e-mail address. Results from that search warrant include numerous email references to “Thomas Casselman,” an email which included a photograph of CASSELMAN’s South Carolina Driver’s License, and an email with the following photograph of CASSELMAN with a full beard, dated February 14, 2021. As discussed above, the witnesses discussed above indicated that CASSELMAN cut his hair to change his appearance at some point after January 6<sup>th</sup> 2021, however, this photograph captures the appearance of CASSELMAN prior to the removal of the beard.



**Image 21 – image of CASSELMAN located in the \*\*\*\*\*castleman17 email account.**



**Image 22 – Facial comparison showing similar feature on CASSELMAN and FBI BOLO#363-AFO nose.**



**Image 23 – Image showing CASSELMAN without mask or hat on.**

Data from a search warrant for the Facebook \*\*\*\*\*.castleman.\*\* account identified a conversation in which CASSELMAN stated “I really never use fb I may or may not have been in dc on the 6<sup>th</sup>” (note: “fb” is shorthand for Facebook). CASSELMAN also provides his telephone number in the same conversation as “\*\*\*-\*\*\*-3010,” which is a telephone number identified both by Verizon records and CASSELMAN as belonging to CASSELMAN. As mentioned previously, \*\*\*\*\*.castleman.\*\* is linked with the \*\*\*\*\*castleman17@gmail.com address, and geolocation data from the Facebook account ties CASSELMAN to the area of the FBI BOLO #363-AFO attack.

A search warrant on the \*\*\*\*\*castleman17 email address returned data that indicated it was created on or about January 29, 2021. While it may seem unusual to find that this email address, created after January 6, would be associated with data from January 6, this account became collocated with geolocation data from Facebook because CASSELMAN linked the new email address to his Facebook account prior to the production of Facebook geolocation records. Additionally, evidence indicates CASSELMAN “deactivated” his Facebook account sometime after January 6, and restarted it on or about March 17, 2021. The creation of the new \*\*\*\*\*castleman17 email account and deactivation/reactivation of his Facebook account corroborates tipsters’ statements that CASSELMAN deleted or erased social media accounts following January 6.

Data from the \*\*\*\*\*castleman17 account indicates the email account CASSELMAN was using at the time of January 6<sup>th</sup> is \*\*\*\*\*2014@gmail.com. A search warrant for that account also yielded information indicating the \*\*\*\*\*2014@gmail.com account also belongs to CASSELMAN. Google searches conducted by CASSELMAN from the \*\*\*\*\*2014@gmail.com account include searches on January 5<sup>th</sup> 2021 for “massey train station virginia,” “metro train station manassas virginia,” “dc weather,” and “amtrak.com track your train map,” with geolocation coordinates associated with the search queries that indicate CASSELMAN was in the area of an Amtrak Station in Clemson, South Carolina.

Additional Google searches by CASSELMAN on January 6<sup>th</sup> 2021 include “ga state senate election results 2021,” “metro train station manassas va,” “how to get from Manassas to washington dc,” and “Manassas to DC-Metro? – Washington DC Forum – Tripadvisor.” At approximately 4:03 PM on January 6<sup>th</sup>, CASSELMAN searched Google for “hotels near me.” Data provided by Google indicated this search was conducted while near the United States Capitol Building. This search was conducted after CASSELMAN’s assault on law enforcement officers, which occurred at or around 2:28 PM.

Lastly, between January 16<sup>th</sup> and January 18<sup>th</sup> 2021, CASSELMAN searched Google for “charges for dc rioters,” “Capitol arrests list,” “how many times has capitol hill been breached,”



“the statute of limitations for assault on a federal officer,” and “assaulting a federal officer punishment.”

## CONCLUSION

Based on the foregoing, I submit that there is probable cause to believe that Thomas Andrew CASSELMAN violated 18 U.S.C. §§ 111(a)(1) and (b), which makes it a crime to forcibly assault or interfere with any person designated in section 18 U.S.C. § 1114 as an officer or employee of the United States while engaged in or on account of the performance of official duties. Persons designated within section 1114 include any person assisting an officer or employee of the United States in the performance of their official duties. Subsection (b) includes an enhancement for violating this provision while using a deadly or dangerous weapon.

Based on the foregoing, I submit that there is probable cause to believe that Thomas Andrew CASSELMAN violated 18 U.S.C. §§ 1752(a)(1), (2), and (4) and 18 U.S.C. § 1752(b)(1)(A), 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; and (b)(1)(A) use or carry a deadly or dangerous weapon or firearm during and in relation to the offense. 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 Thomas Andrew CASSELMAN violated 40 U.S.C. §§ 5104(e)(1)(A)(i), (e)(2)(D), and (e)(2)(F), which makes it a crime to (i) carry on or have readily accessible to any individual on the Grounds or in any of the Capitol Buildings a firearm, a dangerous weapon, explosives, or an incendiary device; (D) willfully and knowingly 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 (F) engage in an act of physical violence in the Grounds or any of the .

Finally, I submit there is probable cause to believe that Thomas Andrew CASSELMAN 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.



Task Force Officer  
Federal Bureau Of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 24th day of March 2023.

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HON. ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE