

STATEMENT OF FACTS

1. Your affiant, [REDACTED], is a special agent with the Federal Bureau of Investigation, currently tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

2. 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.

3. 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.

4. 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.

5. 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, shortly 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.

6. 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.

7. 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 Jacob Kyle Wiedrich

8. Following the January 6, 2021 attack on the Capitol, your affiant received and reviewed multiple tips submitted by members of the public. On January 12, 2021, law enforcement received information that Jacob Kyle Wiedrich ("WIEDRICH") was inside the U.S. Capitol building.

9. Upon receiving this information, FBI compared a known image of WIEDRICH obtained from the Utah State Department of Motor Vehicles to images and surveillance footage obtained by law enforcement at and around the U.S. Capitol on January 6, 2021. By comparing this photograph to the surveillance footage, your affiant believes that the person is WIEDRICH.

10. Review of videos received from the Utah Statewide Information and Analysis Center (SIAC) indicates they were posted on the Snapchat account "kingbuddha27", with the vanity name "Jacob Weed."



- a. The first video shows a male individual wearing a red "Make America Great Again" (MAGA) hat and a t-shirt with a partial picture of the Space Shuttle. The male individual states that he is going to describe the difference between what "we" did yesterday and "Black Lives Matter" riots from the previous year. The male also states, "we marched to the Capitol, broke a few windows, but we made a statement that we won't put up with this fraud - the election of 2020." For context, it is clear the male individual is referring to the riot at the US Capitol, as the male makes special reference to Ashli Babbitt being shot.



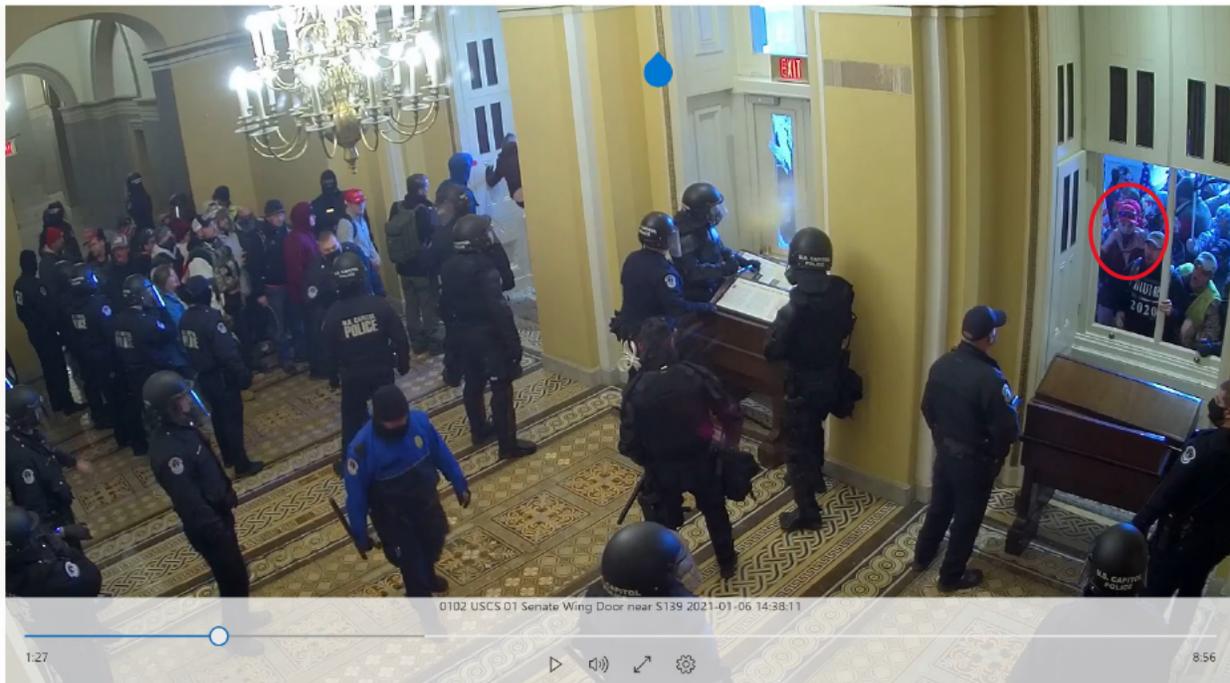
- b. The second video shows the male individual, wearing a red MAGA hat, sunglasses, a dark jacket, a tan or orange sweatshirt and a black mask with an exhaust valve near the Washington Monument, amongst a large crowd of people - this appears to be the Trump rally at the Ellipse on 06 January 2021. The male individual moves with the crowd towards the US Capitol and is shown on the Capitol grounds. The male individual is shown saying "it's wartime!" The male individual is verbally combative with law enforcement attempting to maintain security; at one point, the male individual complains of being shot with rubber bullets and tear gassed. As the mob moves closer to the Capitol building, the male yells "we're not done!" and "Charge! Charge the motherfucker!" to the mob. The male also screams "take it back!" At one point, the male screams "we ride for Trump, we die for Trump!" The male moves close to an open window and begins screaming at law enforcement inside the Capitol building. Eventually, the video shows the interior of the Capitol building, indicating the male has entered the building with others.

11. The U.S. Capitol has closed-circuit television (CCTV) cameras covering the U.S. Capitol. Footage from January 6, 2021 was reviewed by law enforcement officers and your affiant believes WIEDRICH was captured by these cameras inside the Capitol.

12. Capitol CCT Video labeled U.S. 0102USCS01SenateWingDoorNearS139 captured the following on January 6, 2021 at approximately 2:00pm to 3:00pm eastern standard time:

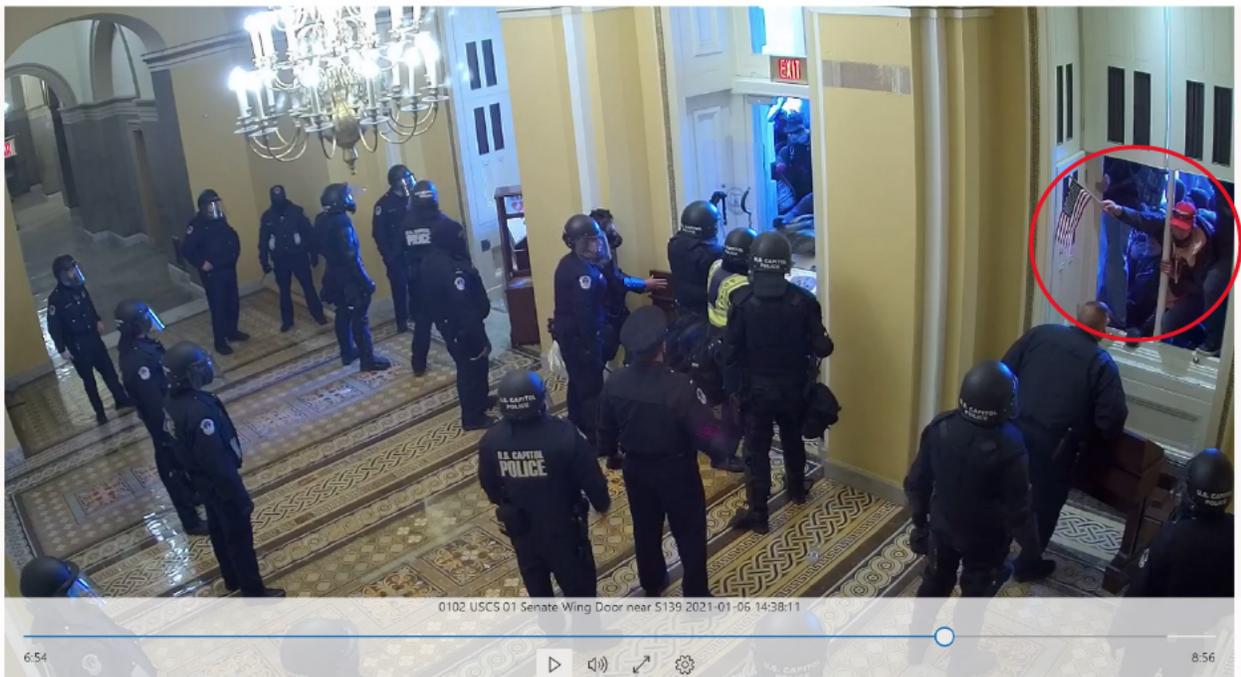
- a. This camera faces an exterior door and two windows opening to the exterior of the U.S. Capitol building. Prior to the video timeframe, the door and windows were breached by a mob from the outside: The United States Capitol Police ("USCP") sealed the breach with a barricade of officers and furniture. The crowd can be seen outside the windows and door. WIEDRICH can be seen

yelling at USCP officers through a window next to the exterior door. WIEDRICH is seen utilizing a cell phone just outside the window of the U.S. Capitol.

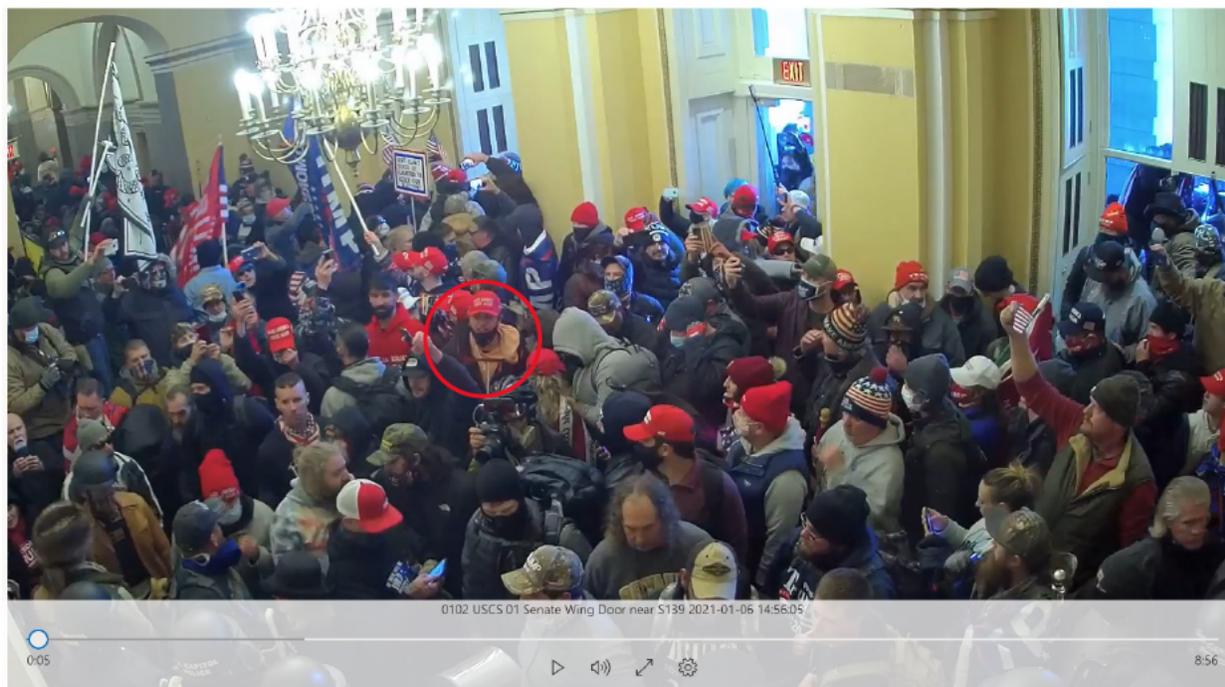


b. Eventually, a mob of persons physically pushes through the barricaded USCP officers and breaches the door for a second time, at approximately 1448 hours; WIEDRICH can be seen at the back of this mob as they push their way through the officers' barricade. WIEDRICH enters the Capitol at this point and walks around the corridor as persons flood in from the exterior.





- c. Once inside, WIEDRICH screams at and taunts USCP officers on the perimeter of the mob for several minutes; at one point, WIEDRICH is so confrontational that another member of the mob physically restrains him. WIEDRICH continues to walk around the corridor before moving deeper into the U.S. Capitol by proceeding down a hallway known to lead towards the House wing of the building.



- d. WIEDRICH's actions on the video are in contradiction to what he told the FBI in an interview, in which he minimized his participation and claimed he only entered approximately 10 feet inside the exterior door before turning around and leaving.

13. On January 16, 2021, WIEDRICH was interviewed by FBI agents. WIEDRICH admitted to being in Washington, D.C., being on the U.S. Capitol grounds, and entering the US Capitol. WIEDRICH informed the agents he entered with a large group through the “left-side entrance.” WIEDRICH stated although police were present, there was no resistance to the crowd entering the building and WIEDRICH observed no property damage (window breaking, etc.) or violent confrontation with the law enforcement.

14. After interviewing WIEDRICH, he disclosed that he flew to Washington, D.C. alone on January 5, 2021, arriving January 6, and returned January 7, 2021.

15. After interviewing WIEDRICH and comparing his physical characteristics to the individual captured on video from inside the Capitol, your affiant believes that WIEDRICH is the same person captured in the videos.

Statement of Probable Cause

16. Based on the foregoing, your affiant submits that there is probable cause to believe that JACOB KYLE WIEDRICH 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; 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.

17. Your affiant submits there is also probable cause to believe that JACOB KYLE WIEDRICH violated 40 U.S.C. § 5104(e)(2)(D) & (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
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 21st day of July 2021.

A handwritten signature in blue ink, appearing to read 'Zia M. Faruqi'.



2021.07.21
19:45:10 -04'00'

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE