

STATEMENT OF FACTS

Your Affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Washington Field Office Joint Terrorism Task Force (JTTF) squad CT-4, specializing in domestic terrorism. Prior to my employment as a Special Agent, I was an Investigative Specialist working covert surveillance investigations for the Federal Bureau of Investigation for five years. I was also a sworn Law Enforcement Officer in the Loudoun County Sheriff's Office for eight years prior to joining the Federal Bureau of Investigation. In my duties as a Special Agent, and through my prior experience, I have gained training and experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, the exploitation of lawfully obtained evidence and data, and various other procedures. In addition to my regular duties, I am also currently reviewing public tips, videos, and documentation, among other evidence, associated with the riots and civil disorder that occurred 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, detention, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol building 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 persons 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 U.S. Capitol; however, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, by breaking

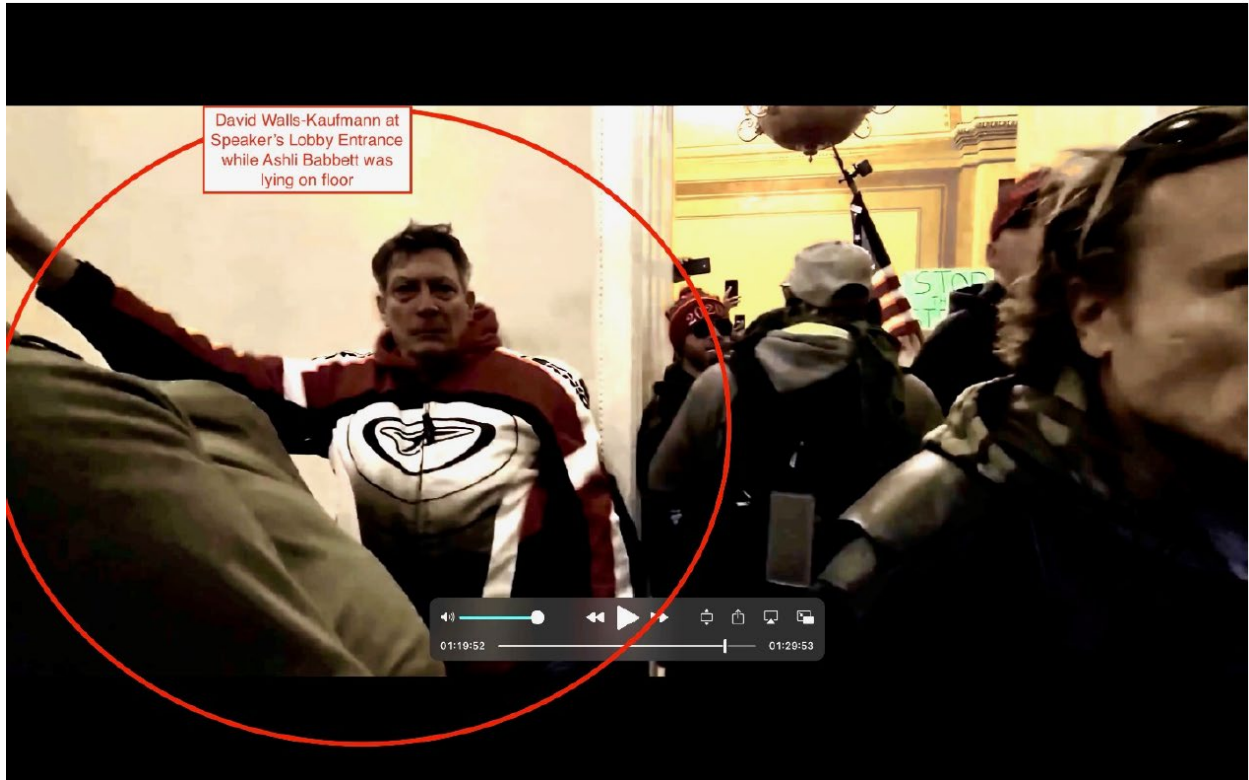
windows, and assaulting members of the U.S. Capitol Police; as others in the crowd encouraged and assisted those acts.

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.

Since January 6, 2021, the FBI has been investigating and identifying those who were inside of the Capitol without authority and disrupted the proceedings. During that investigation, Dr. David WALLS-KAUFMAN (WALLS-KAUFMAN) of Washington, D.C. was identified as one of the individuals illegally inside the Capitol Building. WALLS-KAUFMAN was initially identified after he was named in a civil lawsuit regarding actions committed during the events of January 6, 2021. This identification of WALLS-KAUFMAN utilized to name him in the civil lawsuit was initially provided by online, open source, civilian investigators who run a website called “Sedition Hunters”, located at <https://seditionhunters.org>.

After the civil lawsuit was served on WALLS-KAUFMAN, the included information and lawsuit were provided to the Federal Bureau of Investigation from the Metropolitan Police Department via email. Provided within the lawsuit were several screen captures from open-source media files that depict WALLS-KAUFMAN inside the Capitol Building and engaged in a scuffle with Law Enforcement Officers. The first screen capture is from the provided lawsuit documentation, taken from open-source video, and shows WALLS-KAUFMAN, wearing a red, white, and black motorcycle style jacket with the brand name Teknic written on the shoulders.



The second screen capture (below) is also taken from the lawsuit and shows WALLS-KAUFMAN wearing the same jacket in a YouTube.com video interview, discussing his work in the Chiropractic field. This video was viewed by your Affiant, however it was subsequently deleted from YouTube.com before your Affiant was able to preserve the video as evidence. A search warrant was served on YouTube.com in an attempt to recover the above mentioned video, but was unsuccessful in recovering the video.



Dr. David Walls-Kaufman, DC – An Interview at The Plaza

20 views · Apr 15, 2021

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In response to this tip, your Affiant reviewed WALLS-KAUFMAN’s driver’s license photo, and confirmed the screenshots included in the lawsuit contained similarities in appearance and appeared to be the same person.

Your affiant reviewed several U.S. Capitol security videos, and Metropolitan Police Department body worn cameras, and open-source tip videos, that captured video footage of WALLS-KAUFMAN within the U.S. Capitol on January 6, 2021. The videos show that WALLS-KAUFMAN entered through a doorway near the USCS Rotunda Interior Door, joined in large groups, chanted when he was inside, and wandered through the U.S. Capitol hallways, including the Rotunda, Statuary Hall, East Stairs and Upper House door area before being forced to exit.

Below are several images from this security video and body worn cameras, with WALLS-KAUFMAN circled:







Through Law enforcement database checks, a telephone number of 202-██████████ was identified as actively belonging to WALLS-KAUFMAN. AT&T later confirmed the subscriber information as belonging to WALLS-KAUFMAN since 2010 and was currently active as of November 2021. Directly after the U.S. Capitol Riot, a geofence search warrant was signed and served on all internal cell sites within the U.S. Capitol building. This search warrant captured all the identifying information to all devices that accessed the internal cell site towers within the U.S. Capitol building on January 6, 2021. Upon searching this data, 202-██████████ appeared as a positive result, showing its active locations inside the U.S. Capitol building on January 6, 2021. This data was utilized to identify potential areas where WALLS-KAUFMAN was inside the U.S. Capitol building on January 6, 2021 and those locations were corroborated, and confirmed, by your Affiant reviewing Capitol Building Security footage in those areas. Through this video review, WALLS-KAUFMAN was positively identified on approximately nine different U.S. Capitol security cameras, and approximately twenty Metropolitan Police Department body worn cameras on January 6, 2021.

To further the positive identification of WALLS-KAUFMAN, physical surveillance of WALLS-KAUFMAN was conducted on October 19, 2021. Still photographs of WALLS-KAUFMAN, taken by your Affiant on that surveillance, are provided below:



Based upon your Affiant's comparison of the driver's license photo for WALLS-KAUFMAN, to the U.S. Capitol security video and body worn camera footage, and personal observations, your Affiant is confident that WALLS-KAUFMAN entered through the Rotunda Interior door and

joined the riot inside the U.S. Capitol building on January 6, 2021. His face on the driver's license appears to be the same person as the person identified on the Capitol Security videos, MPD body worn cameras and physical surveillance photos included herein.

Based on the foregoing, your Affiant submits there is probable cause to believe that WALLS-KAUFMAN 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. 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 WALLS-KAUFMAN 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
Federal Bureau of Investigation

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

HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE