

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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| UNITED STATES OF AMERICA | : | Case No: |
| | : | |
| v. | : | |
| | : | VIOLATIONS: |
| | : | |
| JOHN HERBERT STRAND, SIMONE MELISSA GOLD | : | 18 U.S.C. § 1752(a), (Restricted Building or Grounds) |
| Defendants. | : | |
| | : | 40 U.S.C. § 5104(e)(2) (Violent Entry or Disorderly Conduct) |
| | : | |

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
AND ARREST WARRANT**

I, [REDACTED], Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, deposes and states under penalty of perjury that the following is true to the best of my information, knowledge and belief.

PURPOSE OF AFFIDAVIT

1. This Affidavit is submitted in support of a Criminal Complaint charging JOHN HERBERT STRAND (“STRAND”) and SIMONE MELISSA GOLD (“GOLD”) with violations of 18 U.S.C. § 1752(a) and 40 U.S.C. § 5104(e)(2). I respectfully submit that this Affidavit establishes probable cause to believe that STRAND and GOLD (1) did knowingly enter or remain in any restricted building or grounds without lawful authority, or did knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct, and (2) did willfully and knowingly 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 any deliberations of either

House of Congress. Specifically, on or about January 6, 2021, STRAND and GOLD traveled to Washington, D.C., and knowingly and willfully joined a crowd of individuals who forcibly entered the U.S. Capitol and impeded, disrupted, and disturbed the orderly conduct of business by the United States House of Representatives and the United States Senate.

AGENT BACKGROUND

2. I have been a Special Agent with the FBI since June 2016. I am presently assigned to the Washington Field Office's International Corruption Squad, where I am responsible for investigating Antitrust, Foreign Corrupt Practices Act, and Kleptocracy violations. I was previously assigned to the FBI's Los Angeles Field Office, where I was responsible for investigating public corruption, fraud against the government, violent crime, narcotics offenses, and a host of other violations of federal law. Prior to my employment with the FBI, I was a law enforcement officer in the State of Florida for four years, where I investigated crimes relating to fraud, narcotics, violent crimes, and a variety of other criminal acts.

3. I am one of the agents assigned to an ongoing investigation of riots and civil disorder that occurred on January 6, 2021 in and around the United States Capitol grounds by the FBI, United States Capitol Police ("USCP"), Metropolitan Police Department ("MPD") and other law enforcement agencies. Since I became involved in this investigation on January 6, 2021, I have conducted interviews, reviewed public tips, reviewed publicly available photos and video, and reviewed relevant documents, among other things.

4. The facts in this affidavit come from my review of the evidence, my personal observations, my training and experience, and information obtained from other agents and witnesses. Except as explicitly set forth below, I have not distinguished in this affidavit between facts of which I have personal knowledge and facts of which I have hearsay knowledge. This

affidavit is intended to show simply that there is sufficient probable cause for the requested arrest warrant and does not set forth all of my knowledge about this matter.

BACKGROUND

5. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, located at First Street Southeast, Washington, District of Columbia. During the joint session, elected members of the United States House of Representatives and Senate met in the United States Capitol to certify the vote count of the Electoral College for the 2020 Presidential Election, which took place on November 3, 2020.

6. The U.S. Capitol is secured 24 hours a day by security barriers and USCP occupy various posts throughout the grounds. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by USCP. USCP officers wore uniforms with clearly marked police patches, insignia, badges, and other law enforcement equipment. Only authorized people with appropriate identification are 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.

7. The January 6, 2021 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 Michael R. Pence was present and presiding, first in the joint session, and then in the Senate chamber.

8. As the proceedings continued in both the House and the Senate, and with Vice President 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 USCP were present, attempting to keep the crowd away from the Capitol building and the proceedings underway inside. As the certification proceedings were underway, the exterior doors and windows of the Capitol were locked or otherwise secured.

9. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and past officers of the USCP, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by the USCP or other authorized security officials.

10. A short time later, 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 Pence, were instructed to—and did—evacuate the chambers. As such, all proceedings of the United States Congress, including the joint session, was effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the U.S. Capitol, including the danger posed by individuals who had entered the U.S. Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the U.S. Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

11. 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.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

12. Beginning on or about January 7, 2021, the investigative agencies began receiving tips from the public related to the civil unrest and breach of the Capitol and several identified

STRAND and GOLD as being involved. Many of the tips included photographs of STRAND and GOLD inside of the Capitol on January 6, 2021 as shown below.

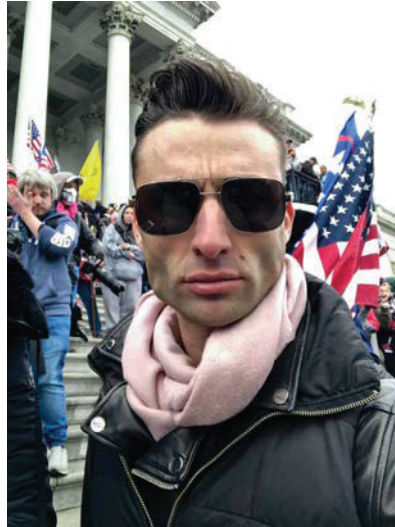


13. In another tip, a witness wrote, “An old acquaintance was posting pictures of himself taking over the capitol yesterday. He was calling for a revolution on his social media accounts...[i]ndividual broke into the capital building and is paid to promote propaganda on his website.”

14. Law enforcement agents retrieved a driver’s license photograph of both STRAND, DOB [REDACTED], and GOLD, DOB [REDACTED] both residents of California, and confirmed each were consistent in appearance with the pictures above.

15. Also on January 7, 2021, Twitter account @TheJohnStrand, believed to be used by STRAND, posted a photograph in which STRAND was seen wearing a black jacket, pink scarf, and dark sunglasses, which appeared to be consistent with the photographs of STRAND and GOLD above. The photograph appeared to be taken on the steps of the Capitol. The

photograph, shown below, also included the caption “I am incredibly proud to be a patriot today, to stand up tall in defense of liberty & the Constitution, to support Trump & #MAGAforever, & to send the message: WE ARE NEVER CONCEDING A STOLEN ELECTION.”



16. Several media outlets broadcasted coverage of the Capitol breach and recorded videos. In their coverage of the events, CNN posted a video to its website entitled “See stunning video of rioters inside Capitol” (<https://www.cnn.com/videos/politics/2021/01/06/protestors-breached-capitol-reax-washington-dc-protest-congress-electoral-college-vpx.cnn>). In the video, timestamped 2:27-2:29 p.m., a man and woman consistent in appearance with the above pictures of STRAND and GOLD can be seen walking with a companion through National Statuary Hall, which is located inside the Capitol.

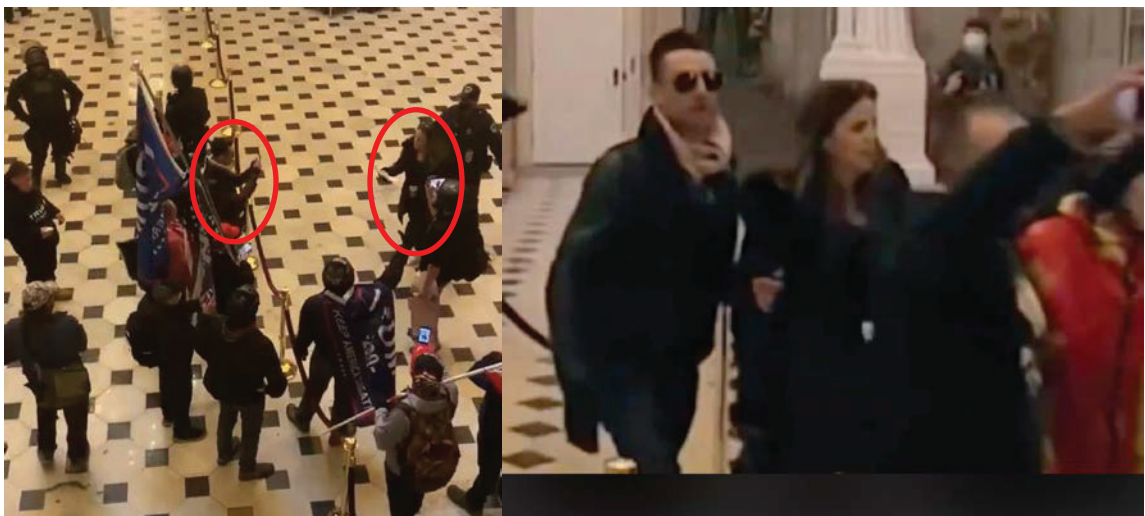
17. On January 6, 2021, a member of the news media posted a video to Twitter entitled “Statuary Hall being slowly cleared out,” at 2:58 p.m. In the video, a man bearing resemblance to STRAND can be seen with a recording device. The man was recording a woman, consistent in appearance with GOLD, giving a speech to a small gathering of people.

18. On January 7, 2021, at approximately 9:07 a.m, Twitter account @TheJohnStrand re-posted a video entitled “Trump Supporter Gets Shot And Murdered The US State Capitol!”

The video was posted with the caption “I was there. This is inexcusable.” The tweet was tagged as posted “from Washington, DC” with “Twitter for iPhone.”

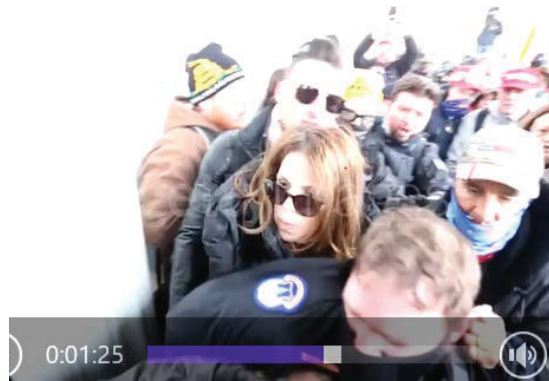
19. A review of several tweets from account holder @TheJohnStrand include the term “Twitter for iPhone.” Based on my training and experience, I understand Twitter account holders who own or possess Apple iPhones can download the Twitter application from the “App Store.” Once the application is loaded to the phone and the user broadcasts a tweet, often it is tagged with the term “Twitter for iPhone.”

20. An open source search of social media depictions from January 6, 2021, uncovered several videos and photographs of persons consistent in appearance with STRAND and GOLD inside of the Capitol. Some of the photographs are below.



21. Video posted to the Getty Images database online

(<https://www.gettyimages.com/detail/video/mob-of-pro-trump-rioters-and-protesters-break-into-the-u-news-footage/1294938866>) shows what appears to be STRAND and GOLD in a large crowd attempting to push past multiple officers blocking the entrance to the Capitol, which had visibly broken windows at the time. One of the officers, who had been pinned near the doors to the Capitol, appears to be pulled down by someone in the crowd and lands near where STRAND and GOLD were standing.



22. I conducted an initial review of some of the surveillance footage from surveillance cameras installed inside the Capitol on January 6, 2021. During my review, I saw what appears to be STRAND and GOLD (as depicted in the pictures above) enter the Capitol through the Rotunda door and walk throughout various parts of the building, consistent with their locations as captured in the other various videos described above .

23. On January 8, 2021, agents from the FBI interviewed witness 1 (“W1”) who identified STRAND as the person on an FBI wanted poster from the Capitol breach. W1 met STRAND approximately ten years ago and had a personal relationship with him. W1 provided a phone number for STRAND, which was consistent with the phone number the investigative agencies believed STRAND uses.

24. On January 12, 2021, The Washington Post published an article titled: “I do

regret being there’: Simone Gold, noted hydroxychloroquine advocate, was inside the Capitol during the riot”. The article features an additional photograph of what appears to be GOLD inside the Capitol giving a speech, as captured in the video described in paragraph 17 above. In the article, the writer quotes GOLD as stating the following in a phone interview: “I can certainly speak to the place that I was, and it most emphatically was not a riot,” and “Where I was, was incredibly peaceful.” According to the article, GOLD confirmed that she went inside the Capitol, saying she followed a crowd and assumed that it was legal to do so, further noting that she was inside for about 20 minutes and regretted being there. According to the article, GOLD added that she traveled to Washington D.C. to speak at a “Rally for Health Freedom” on the East side of the Capitol on Wednesday afternoon. According to the article, GOLD claimed to have attended the rally along with John Strand, who was there to “ensure her safety.” The article included the photograph below, which was credited to John Strand.



CONCLUSION

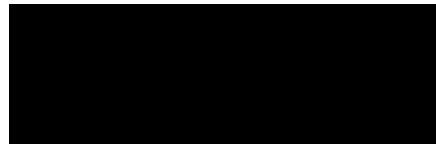
For the reasons set forth above, I submit there is probable cause to believe that STRAND and GOLD, violated:

1. 18 U.S.C. § 1752(a), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; (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 (3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstruct or impede ingress or egress to or from 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 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; and
2. 40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals to willfully and knowingly (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House; (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; (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.


As such, I respectfully request that the court issue an arrest warrant for STRAND and GOLD. The statements above are true and accurate to the best of my knowledge and belief.

Respectfully Submitted,



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 13th day of January 2021.

 G. Michael Harvey
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HON. G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE