

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America
v.
Katherine Staveley Schwab
AKA: Katie
Date of Birth: XXXXXXXX

)
) Case: 1:21-mj-00179
) Assigned to: Judge Faruqui, Zia M
) Assign Date: 1/28/2021
) Description: COMPLAINT W/ARREST WARRANT
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1752 (a)(1) and (2) - Knowingly Entering or Remaining in any Restricted Building or
Grounds Without Lawful Authority

40 U.S.C. § 5104(e)(2)(D) and (G) - Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

[Redacted signature area]

Complainant's signature

[Redacted name and title area]

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 01/28/2021

[Handwritten signature]



2021.01.28
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Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

Your affiant, [REDACTED], Special Agent with the Federal Bureau of Investigation (“FBI”), is 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. I have been a Special Agent with the FBI since May 2011. I am presently assigned to the Washington Field Office’s International Corruption Squad. Since I became involved in this investigation on January 6, 2021, I have reviewed public tips, publicly available photos and video, and relevant documents, among other things. As a special agent with the FBI, 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 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 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.

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 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 after 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

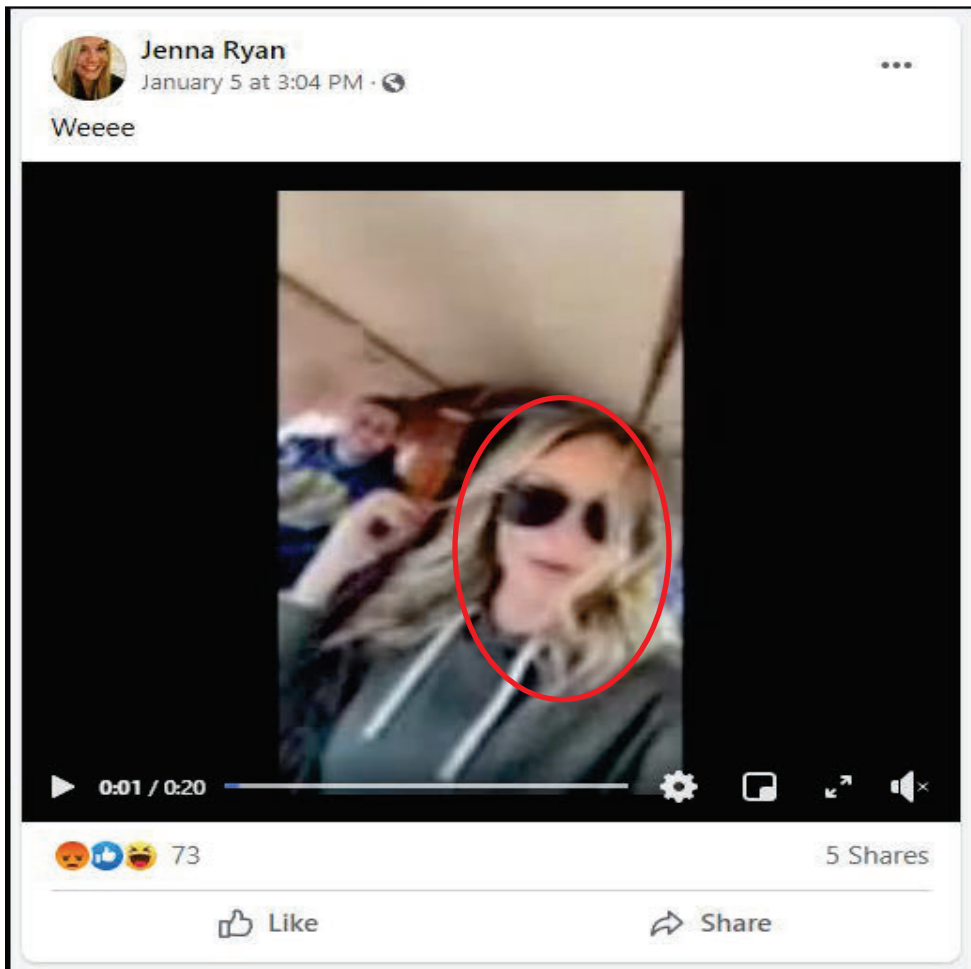
President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

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.

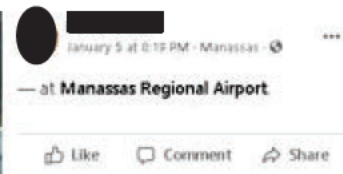
On January 05, 2021, Individual 1 posted a series of photographs of KATHERINE SCHWAB (“SCHWAB”) on their Facebook page. According to open-source information, the photographs were taken on a private plane on the way to Washington D.C. This investigation has shown that Individual 1, Jenna RYAN, Individual 4, and Jason HYLAND (hereinafter “the group”) traveled with SCHWAB to Washington D.C. on January 5, 2021. SCHWAB is the female circled in red in the photographs below.



After Individual 1's post, on January 5, 2021, RYAN posted multiple videos on their Facebook account that appear to be taken on a small private aircraft, on which he/she was traveling with SCHWAB and the other members of the group to Washington D.C. According to open-source research, RYAN posted "Weee" on the photograph below. This investigation has shown that that the group traveled with SCHWAB to Washington D.C. on that date. SCHWAB is the female circled in red in the photograph below.



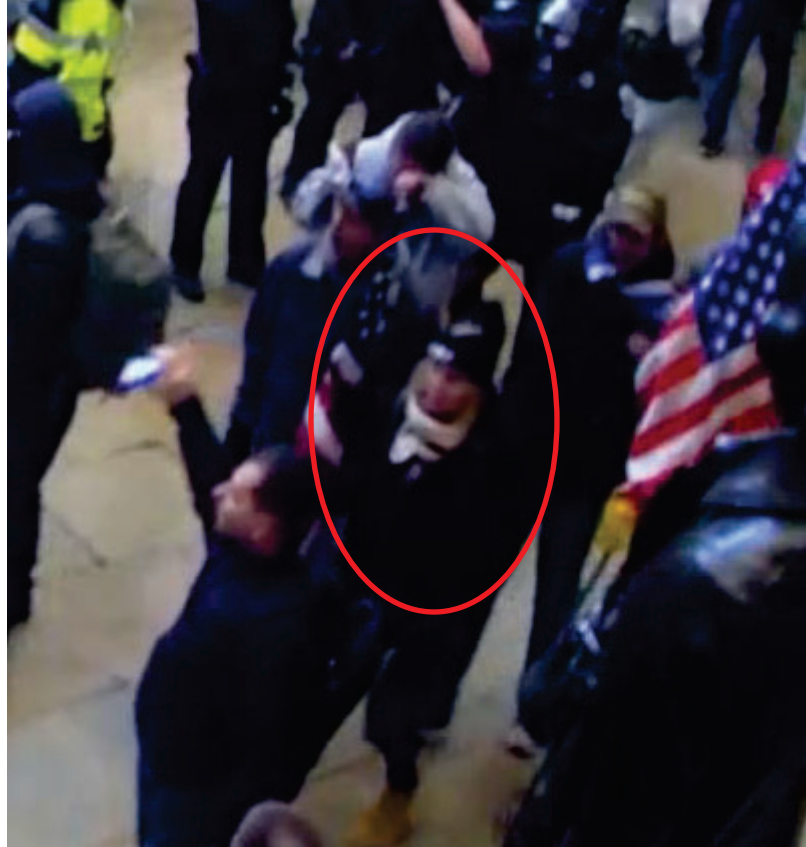
Later in the evening, on January 5, 2021, Individual 1 posted a photo on their Facebook page and tagged the Manassas Regional Airport in Manassas, VA. SCHWAB and the four others in her group had arrived in the Washington, DC area. SCHWAB is the female circled in red in the photograph below.



Law enforcement agents retrieved a driver's license photograph of SCHWAB, a resident of TEXAS, and confirmed SCHWAB bore a resemblance to the pictures above.

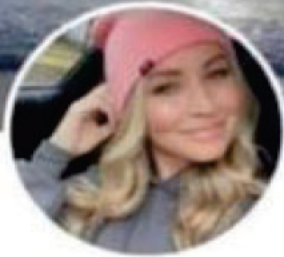
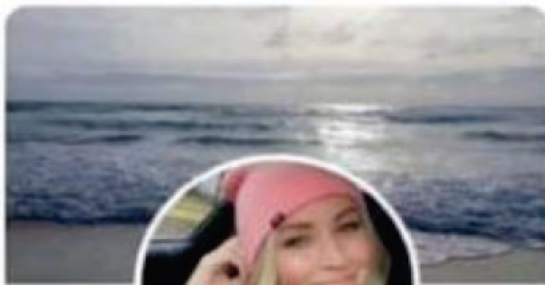
Your affiant conducted an initial review of some of the surveillance footage captured on January 6, 2021 from cameras inside the Capitol building. During my review, I identified images that depict SCHWAB inside the Capitol building near the Rotunda door and attempting to walk through the crowds. SCHWAB is the female circled in the photos below.





In the hours following the breach of the U.S. Capitol building, SCHWAB posted on Facebook: “a little further than that” in response to Facebook User 1’s post, “looks like you got on the steps of the Capital [SIC]”. About an hour later, Facebook User 1 posted “awesome did you get pics inside”. SCHWAB responded, “no because they closed the door behind us and had their guns drawn at a few...interesting though, the national guard was in there and didn’t move an inch. They sat back. They didn’t fight against us at all...because there was no need to. After the girl was shot and killed that’s when we raised hell.”

< Katie Schwab

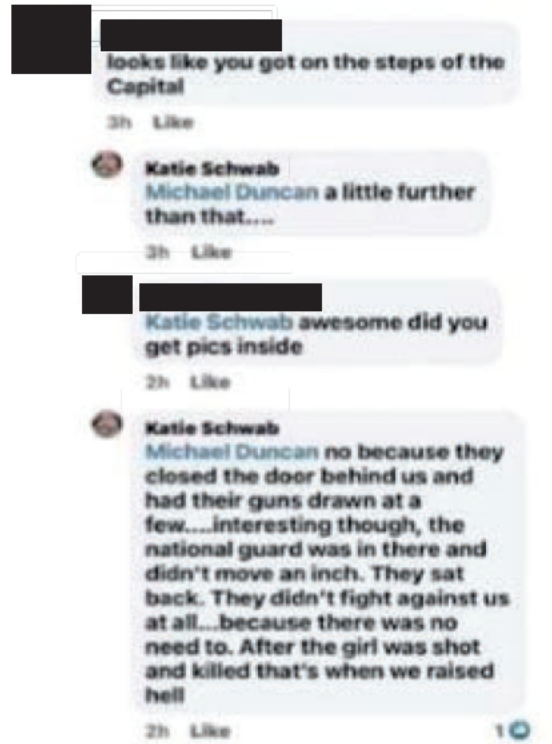


Katie Schwab

REALTOR @ C21 Mike Bowman Inc.

Instagram: @katiesschwab

Parler: @katietexas



On January 15, 2021, FBI agents interviewed SCHWAB at her residence in Texas. The interview was recorded. SCHWAB explained to the agents that she traveled with four other people to Washington D.C. She referred to herself and the others who traveled with her as patriots. She stated that on the Saturday or Sunday before, which would be January 2, 2021 or January 3, 2021, she posted on her Facebook account that she planned to travel to Washington, D.C. to take part in the protest scheduled for January 6, 2021. She explained that she was looking for other patriots to join her. SCHWAB stated that she had a friend (later identified as HYLAND) who arranged a private flight and agreed to fly a group of patriots to Washington, D.C. SCHWAB requested not to provide HYLAND's name to protect their privacy.

SCHWAB explained that there were five people in the group that traveled to Washington D.C. They are referred to in this affidavit as SCHWAB, Individual 1, RYAN, Individual 4, and HYLAND. SCHWAB explained that she did not know Individual 1, RYAN, or Individual 4 prior to the group's travel to Washington D.C.; however, she knew that Individual 1 and RYAN were friends prior to the trip. SCHWAB stated that she only knew RYAN through social media; she has no relationship with RYAN. The only person from the group that SCHWAB knew prior to the flight was HYLAND, the individual who arranged the flight.

SCHWAB stated that the group flew to Washington, D.C. on January 5, 2021. She further explained that on January 6, 2021, the group left the hotel around 7:30am and walked to The Ellipse, an outdoor expanse near the White House. According to SCHWAB, they listened to some of the speakers until approximately 10:30am. The group then walked towards the Capitol Building and made it to the area where the food trucks were located. Nothing was happening at this time and it was very cold outside, so SCHWAB and three members of the group, RYAN, Individual 4,

and HYLAND, decided to depart and return to the hotel. One member of the group, Individual 1, stayed at the Capitol.

SCHWAB explained that upon returning to the hotel, SCHWAB, RYAN, Individual 4, and HYLAND watched the news on television regarding the counting of the Electoral College votes. She explained that while watching the news, they heard the Capitol building had been breached, and they wanted to see what was going on. SCHWAB, RYAN, Individual 4, and HYLAND took an Uber from their hotel to the east side of the Capitol building where the Supreme Court was located. SCHWAB noticed that there were some “bad apples” within the large crowd. SCHWAB walked up the steps of the Capitol building to the open doors. Though SCHWAB did not see any violence or anyone destroying anything, she observed the door to the Capitol building had been destroyed.

SCHWAB stated she was pushed by the crowds through the original set of doors entering the building and into a lobby area. She then went through a second set of doors. Because of her small stature, SCHWAB was being crushed by the crowd. She then requested the assistance of a Capitol Police Officer to exit the building. The police officer helped SCHWAB out of the crowd and identified an exit that was on the left side of the lobby. At this point, SCHWAB exited the Capitol building.



SCHWAB was aware of the various social media posts that RYAN posted from the Capitol building and was shown several during the interview. She stated that RYAN posted a video of SCHWAB outside the Capitol Building. SCHWAB stated that the words that RYAN used in her social media posts were “very bad”. According to SCHWAB, some of the videos that RYAN posted made members of the group look “bad”.

Based on the foregoing, your affiant submits that there is probable cause to believe that Katherine SCHWAB 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.

Your affiant submits there is also probable cause to believe that Katherine SCHWAB 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.

[REDACTED]
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 28 day of January 2021.

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ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE