

### STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (FBI), assigned to the Domestic Terrorism squad in the Houston, Texas Field Office. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds 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, detection, investigation, or prosecution of a violation of Federal criminal laws. This statement of facts is intended to show merely that there is sufficient probable cause for the issuance of a criminal complaint and does not set forth all my knowledge about this matter

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 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.

### *Identification of Raul Jarrin*

As part of the FBI investigation into the attack on the United States Capitol, the FBI located video and still images of multiple individuals who had unlawfully entered the U.S. Capitol. According to records obtained through a search warrant served on Google, a mobile device associated with macrej[REDACTED]@gmail.com was present at the U.S. Capitol on January 6, 2021.<sup>1</sup> The device location data showed the device associated with macrej[REDACTED]@gmail.com was within the U.S. Capitol from approximately 2:12 p.m. to 3:11p.m. EST. Google records show that the “maps display radius” for this location data was between 4 meters and 231 meters, which encompasses an area that is partially within the U.S. Capitol Building.

Additional subscriber information obtained through the search warrant identify the user of macrej[REDACTED]@gmail.com as Raul Eduardo **JARRIN**, telephone number xxx-xxx-3402. Your affiant then searched law enforcement databases and confirmed that an individual named Raul Eduardo Jarrin was a resident of [REDACTED], Houston, Texas 77036. The database also reflected that Jarrin’s telephone number was consistent with the subscriber information obtained from Google.

On July 2, 2021, I interviewed **JARRIN** at the FBI Houston Field Office. During his interview, **JARRIN** admitted he was present in the vicinity of the U.S. Capitol on January 6, 2021, however, he denied entering the building. **JARRIN** admitted attending the “Save America” rally at which former President Trump spoke while in Washington D.C.

**JARRIN** showed me photos from his Samsung cell phone that were taken on January 6, 2021. The last photo on his phone was taken at 3:10 p.m. EST, according to the date/time data associated with the photo. The photograph shows the U.S. Capitol Building in the distance with bicycle rack barricades in the foreground. **JARRIN** stated that he decided to leave the area shortly after that photo was taken. He said he did not take any more photographs that day and did not delete any photographs or videos from that day. During the interview, **JARRIN** was asked several times if he entered the building and if he had taken additional photographs on January 6, 2021. **JARRIN** denied being inside of the U.S. Capitol and taking additional photographs.

On July 5, 2021, **JARRIN** emailed me a photograph of the Metro SmarTrip card he used on January 6, 2021, to get from his hotel in Bethesda, Maryland, to the National Mall area for the Trump rally. Information provided by Metro Transit Police revealed **JARRIN**’s SmarTrip card was scanned at 3:57 p.m. at the Eastern Market Metro Station, at 701 Pennsylvania Avenue Southeast, Washington, D.C. 20003, and again at 4:36 p.m. when **JARRIN** exited at the Bethesda

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<sup>1</sup> The full email is known to law enforcement; however, due to the public nature of the filing, the email address is partially redacted herein.

Metro Station. These time stamps indicate **JARRIN** was likely still in the area of the U.S. Capitol Building during the times the Google location data show his device within the U.S. Capitol.

**JARRIN** contacted your affiant a second time on July 5, 2021, via email and sent photographs of the clothing that he wore on January 6, 2021. The photographs included a green jacket, blue jeans, and a red knit cap. *See Image 1.*



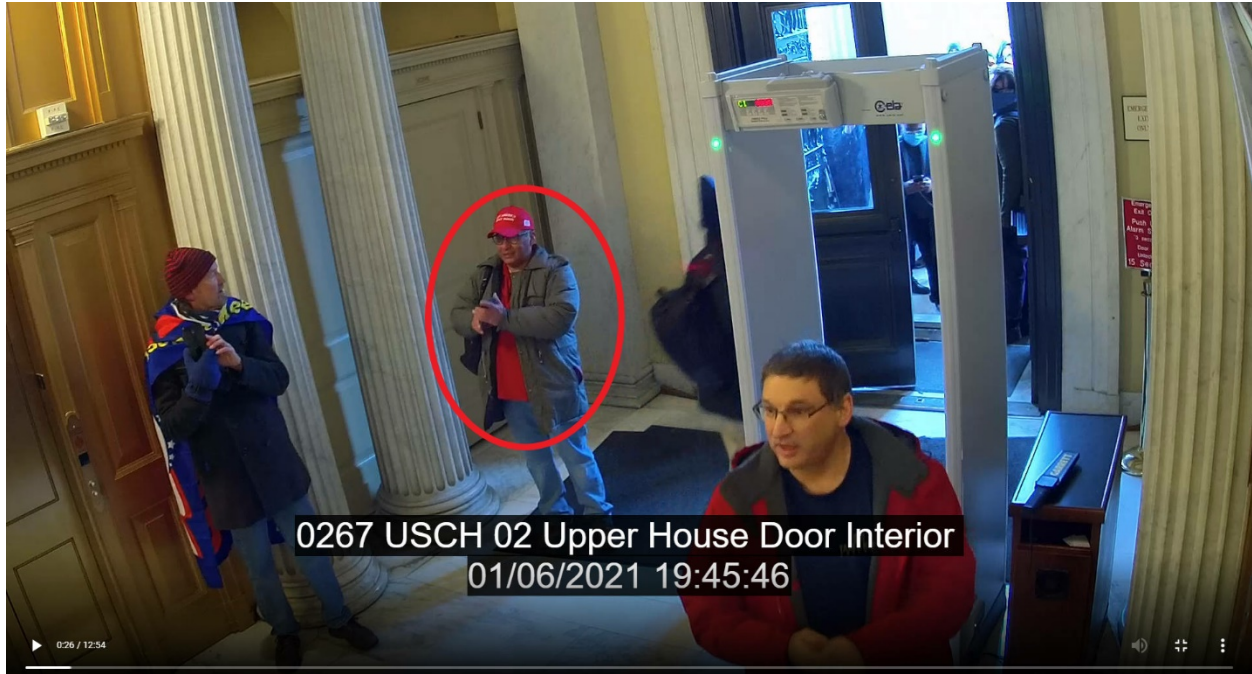
*Image 1*

Your affiant reviewed CCTV footage from January 6, 2021. Based on my familiarity with **JARRIN** from the in-person interview and my knowledge of the clothing he claimed to have worn, I attempted to locate **JARRIN** inside of the U.S. Capitol. I located surveillance footage of the individual believed to be **JARRIN** approaching the East Front House Door at approximately 2:45 p.m. EST (19:45:31 UTC) on January 6, 2021. **JARRIN** is attired in green jacket, red baseball hat, red shirt, blue jeans, and brown boots. In this footage, **JARRIN** can be seen entering the building. Approximately 15 seconds later, he exits the building with other individuals. *See Image 2.*



*Image 2*

From another camera just inside the building, the individual believed to be **JARRIN** can be seen entering through the door and walking inside approximately 10 feet. The individual's face can be seen clearly in this image. The individual believed to be **JARRIN** pauses to take his phone out of his pocket, appears to take photos with his phone, and then turns to exit the door in which he entered. *See Image 3.*



*Image 3*

Your affiant observed that the individual in *Image 3* was wearing a similar green jacket and blue jeans as the pictures of clothing that your affiant received from **JARRIN**. Your affiant would note that the hat worn in the Closed-Circuit Television (CCTV) footage is different than the knit cap that **JARRIN** had photographed and sent to law enforcement. However, based on my opportunity to observe **JARRIN** in-person, the individual in the images above is consistent with **JARRIN** (and consistent with the jeans and green jacket he advised he was wearing that day).

Your affiant located additional CCTV footage in which the person believed to be **JARRIN** can be seen in possession of a cellular telephone taking photographs inside of the U.S. Capitol.



Your affiant obtained Google records for macrej[REDACTED]@gmail.com, the account previously identified as belonging to **JARRIN**. A review of the records showed that the device associated with this account took 82 photographs and 3 videos in the area of the U.S. Capitol on January 6, 2021. The device used was a Samsung Galaxy Note 9 cellular telephone (Model SM-960U). These photos include a photograph taken on January 6, 2021, at approximately 2:45:51 p.m. From a review of Google records, your affiant believes that this photograph (*Image 5*) is likely to have been taken when the person believed to be **JARRIN** was standing in the location inside of the U.S. Capitol depicted in *Image 4*. See *Image 5*.



*Image 5*

Additional cameras were reviewed throughout the building in areas that the previously mentioned device location data had indicated that **JARRIN**'s device was present. Although your affiant reviewed additional camera footage from this area, I could not locate additional surveillance footage of **JARRIN** in the designated areas.

Having met with **JARRIN** and had an opportunity to observe his appearance, as well as from a review of the Google records and video from the Capitol, I believe that **JARRIN** was unlawfully inside of the U.S. Capitol on January 6, 2021.

### **CONCLUSION**

Based on the foregoing, your Affiant submits that there is probable cause to believe that **RAUL JARRIN** 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


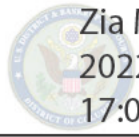
visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that **RAUL JARRIN** violated 40 U.S.C. §§ 5104(e)(2), 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 [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 1<sup>st</sup> day of March 2022.*

  Zia M. Faruqui  
2022.03.01  
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HON. ZIA M. FARUQUI  
US MAGISTRATE JUDGE