Case: 1:21-MJ-00020
Assigned to: Judge G. Michael Harvey
Assigned Date: 1/8/2021
Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

I am employed as a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since June 2, 2017. Currently, I am assigned to a squad that investigates organized criminal enterprises and crimes related to the theft and damage of artwork and objects with significant cultural value. My squad is based at the Washington Field Office – Northern Virginia Resident Agency in Manassas, Virginia. As a Special Agent, I am authorized to investigate violations of laws of the United States and am authorized to execute warrants issued under the authority of the United States. My duties with the FBI include but are not limited to the investigation of alleged violations of federal criminal statutes involving financial institutions and complex financial crimes. Such investigations typically entail extensive document review, analysis and witness interviews, and the preparation, presentation, and service of criminal complaints, arrest, and search warrants.

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. Vice President Mike Pence was present and presiding in the Senate chamber.

With the joint session underway and with Vice President Mike Pence presiding, a large crowd gathered outside the U.S. Capitol. Temporary and permanent barricades surround 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 approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades and officers of the U.S. Capitol Police, and the crowd advanced to the exterior façade of the building. At such time, the joint session was 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. 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 session resumed.

On or about January 7, 2021, law enforcement received information from U.S. Capitol authorities that the Speaker of the House's lectern was missing. A search of open sources revealed an image credited to Getty Images, a visual media company, showing an unknown individual (PERSON 1) appearing to carry the lectern throughout the U.S. Capitol building (see Figure 1). In the image, a large seal with the words "Seal Of The Speaker United States House Of Representatives 1789" is clearly visible on the lectern. The image had been widely circulated on online news sources and social media, and online commentary indicated that the image was taken

during the forced-entry event at the U.S. Capitol on January 6, 2021. PERSON 1 can be seen with what appeared to be red facial hair, wearing a gray jacket, blue knit cap with white lettering, and a backpack. On January 8, 2021, during a conversation with the FBI, U.S. Capitol Police (USCP) identified the location of PERSON 1, as shown in Figure 1, as within the rotunda of the Capitol building.



Figure 1

Additional open source research revealed an article published by the Sarasota Herald-Tribune, an organization that provides news related to the city of Sarasota, Florida. The article contained an image of what appeared to be a social media post by a person with the username "Adam Johnson." The post contained another image of what appeared to be PERSON 1, again with what appeared to be red facial hair and wearing the same gray jacket, blue knit cap with white lettering, and backpack as seen in Figure 1, posing by a sign that read "Closed to all tours" (see Figure 2). The caption accompanying the photograph, seemingly in response to the sign, says "No."

USCP subsequently identified the location of PERSON 1, as shown in Figure 2, as inside the Capitol building, likely on the second floor in the hallway near the Old Senate Chamber. USCP also indicated that the sign seen in Figure 2 was consistent with signs normally used in the U.S. Capitol building. The Sarasota Herald-Tribune article indicated that the photograph likewise was taken during the forced-entry event at the U.S. Capitol on January 6, 2021, and that social media users had indicated PERSON 1 was named ADAM JOHNSON and a resident of Bradenton, Florida.



Figure 2

On or about January 6, 2021, an individual called the FBI's National Threat Operations Center to report that the individual seen in the widely circulated Getty Images photograph (Figure 1) was named ADAM JOHNSON. The caller claimed that ADAM JOHNSON was a resident of Bradenton, Florida, and that the caller knew this information because he/she shared a mutual friend with ADAM JOHNSON. The FBI conducted research on government databases and learned that there was an individual named ADAM JOHNSON associated with residences in two cities in Florida: Bradenton and Parrish (which is near Bradenton). A search of the Florida's Department of Motor Vehicles returned ADAM JOHNSON's driver's license photograph. By comparing this photograph to the image of PERSON 1, your affiant reasonably believes that PERSON 1 is identical to ADAM JOHNSON.

On or about January 8, 2021, the FBI consulted with members of the Speaker's staff and learned that before the forced entry to the Capitol building began on January 6, 2021, the Speaker's lectern was stored in the Speaker's Suite, located under a staircase to the third floor on the House side of the Capitol building. On or about January 7, 2021, the lectern was found by a member of the Senate staff in the Red corridor of the Senate wing off the Rotunda in the Capitol building. According to the House of Representatives' curator, the Speaker's lectern has a market value of more than $1,000.

Based on the foregoing, your affiant submits that there is probable cause to believe that ADAM JOHNSON violated:

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; 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 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;

40 U.S.C. § 5104(e)(2), which makes it a crime for an individual or group of individuals 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; and

18 U.S.C. § 641, which makes it a crime for a person to embezzle, steal, purloin, or knowingly convert to his use or the use of another, or without authority, sell, convey or dispose of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or receive, conceal, or retain the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted.

SPECIAL AGENT MICHAEL JENG
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 8th day of January 2021.

G. Michael Harvey
2021.01.08
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G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE