

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer (TFO) assigned to the Federal Bureau of Investigation's Counterterrorism Division. In my duties as a Task Force Officer, I investigate threats to National Security to include both International and Domestic Terrorism. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Task Force Officer 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.

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 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 Capitol; however, around 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.

Facts Specific to Jeffrey L. Munger

According to records obtained through a search warrant served on Google, a device associated with [REDACTED]@gmail.com was present at or around the U.S. Capitol building on January 6, 2021, between the times of 2:28pm and 3:40pm. Google records indicate that this Gmail account is registered to Jeff Munger from Goshen, Indiana 46528, with a phone number of [REDACTED]

Verizon Wireless records indicate that the phone number [REDACTED] above is registered to Carla Munger, with a secondary contact person of Jeff Munger, both with an address of [REDACTED], Goshen, Indiana 46528 listed.

Law enforcement database records indicate that the [REDACTED] address listed above, in Goshen, Indiana, is listed on JEFFREY L. MUNGER's Indiana driver's license.

Records obtained through a search warrant served on Google for information associated specifically with [REDACTED]@gmail.com included multiple photographs and videos that appear to have been taken at the U.S. Capitol Building on January 6, 2021. Below as Images 1 and 2 are two of those photographs:



IMAGE 1



IMAGE 2

Footage obtained from the U.S. Capitol building Closed Circuit Video (CCV) shows a person climbing into the building at approximately 2:50pm through a broken window next to the Senate Wing Door, and the person appears to be wearing the same coat, hat, and mask as the person in Images 1 and 2 above:



IMAGE 3

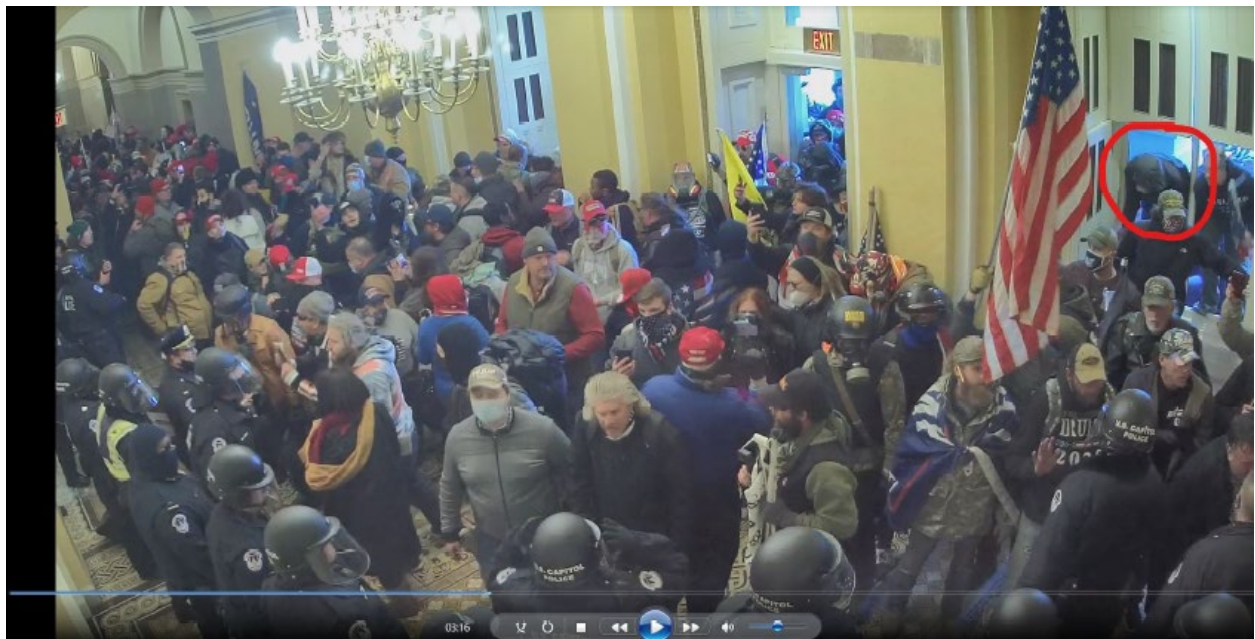


IMAGE 4

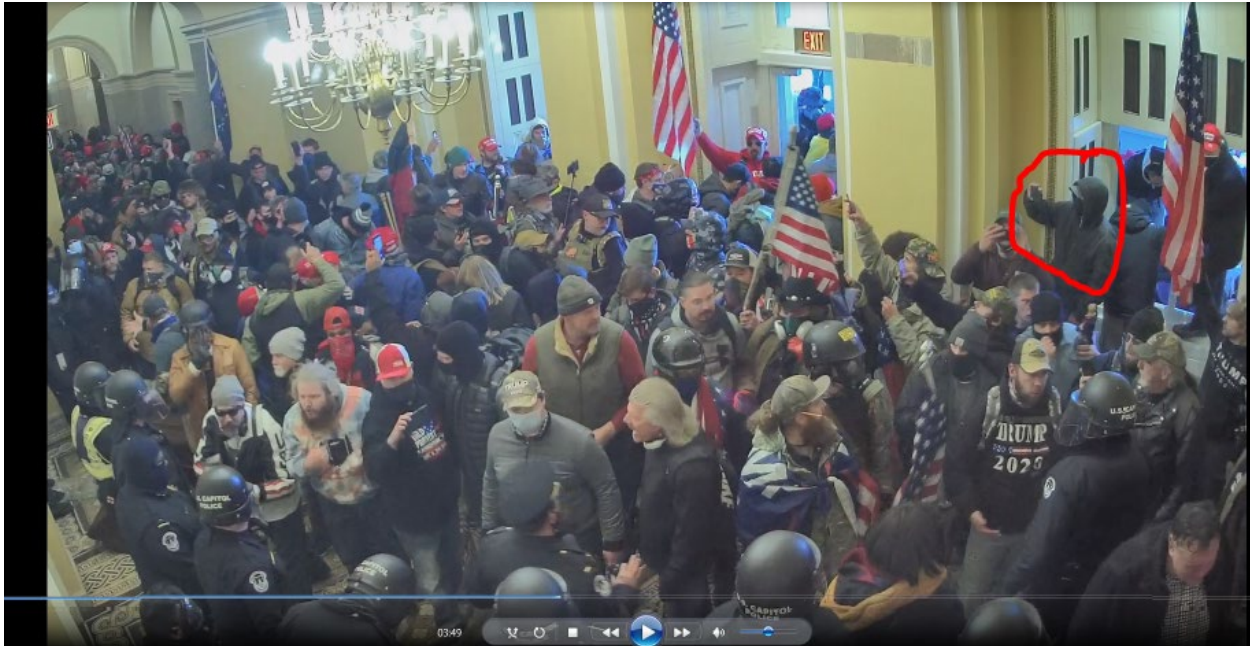


IMAGE 5

Here is a zoomed-in version of Image 5:



IMAGE 6

In the above two photos (Images 5 and 6), the person appears to be taking a photograph. The following photograph obtained from the search of [REDACTED]@gmail.com was taken at approximately 2:50pm (the same time the person above is captured on U.S. Capitol building footage taking a photograph), and it appears to capture the same scene inside the Capitol as the above screenshot from CCTV:



IMAGE 7

For example, in both the CCV screenshot and the photograph from the [REDACTED]@gmail.com account (Images 6 and 7, respectively), there is an American flag and an individual wearing a camouflage hat with his arm raised.

CCTV footage shows what appears to be the same person exiting the building at approximately 3:04pm through the Senate Wing door, indicating that he remained inside for approximately 14 minutes.

In a voluntary, non-custodial, audio-recorded interview of JEFFREY L. MUNGER on December 15, 2021, at his home in Goshen, Indiana, he admitted that he had traveled to Washington, D.C. on January 4, 2021. This matches with the latitude and longitude data obtained from the search of [REDACTED]@gmail.com, which places the device associated with that account on JEFFREY L. MUNGER's home address on January 3, 2021, and traveling east to arrive in Washington, D.C. on January 4, 2021. The device eventually returned to JEFFREY L. MUNGER's home address on January 8, 2021.

MUNGER admitted to entering the U.S. Capitol building on January 6, 2021, through a broken window. Using a map provided by the interviewing agent, MUNGER circled the area where he entered the building through a broken window. The area he circled is known as the Senate Wing Door, which is located on the northwest side of the U.S. Capitol building.

MUNGER stated that he saw people trying to force open doors and heard glass breaking, among other things. He stated that he went inside because the crowd behind him was pushing him into a corner, and the only way for him to leave the area was to go through the window into the building. He admitted to taking photographs while inside, and stated that he never heard any commands from law enforcement officers to exit the building. He stated that he walked down the hall, saw people smoking pot, and then decided to leave.

MUNGER identified himself as the person within the red circles in the U.S. Capitol building footage above, in Images 3, 4, and 5. He also identified the photographs above, in Images 1, 2, and 7, obtained from the search of [REDACTED]@gmail.com as photographs he had taken while


at the building on January 6. He allowed the interviewing agent to photograph the coat and hat he had worn that day, which he still had in his possession:



Based on the foregoing, your affiant submits that there is probable cause to believe that JEFFREY L. MUNGER 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 JEFFREY L. MUNGER violated 40 U.S.C. § 5104(e)(2)(D) and (G), which make 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 in that building of a hearing before, or House of Congress; and (G) parade, dem



Task Force Officer
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15th day of March 2022.

HONORABLE ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE