

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (FBI) and assigned to the Joint Terrorism Task Force (JTTF) with the Providence Resident Agency (RA) of the FBI Boston Division. 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.

I have served as a Special Agent with the FBI for approximately one year and four months. Among other duties, I am responsible for conducting national security investigations of potential violations of federal criminal law, specifically relating to domestic terrorism. Through on-the-job training and experience, I have become knowledgeable on the strategy, tactics, methods, ideology and practices of domestic terrorism and anti-government/anti-authority extremists.

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 WILLIAM B. COTTON

On December 6, 2021, an individual known to the FBI informed the Bureau of several pictures and one video located through open-source research that were taken on January 6, 2021 at the United States Capitol. This media depicts an individual they believed to be identified as WILLIAM B. COTTON (“COTTON”). COTTON was later confirmed to be the individual in this media. The pictures and video showcase COTTON standing and moving amongst a crowd inside the general area of the Senate Wing of the U.S. Capitol Building.

Trained personnel within the FBI compared the photograph from COTTON’s Rhode Island driver’s license to open-source media and U.S. Capitol closed-circuit television (CCTV) footage. The FBI compared COTTON’S image to the image of the individual captured in the riot footage, determining a likely match with the subject’s physical characteristics. The FBI believed it was a positive match and conducted additional investigative steps to corroborate COTTON’S identity and his involvement in the Capitol Riots.

The following are still frames from the Capitol Building’s CCTV system and an open-source photograph, which capture COTTON inside the Capitol near the Senate Wing Door Entrance. In these stills and the photograph, COTTON appears to be wearing a grey long sleeve shirt with “Bryant University” in yellow and white lettering, blue jeans, and glasses attached to a black eyewear retainer around his neck.



Figure 1



Figure 2

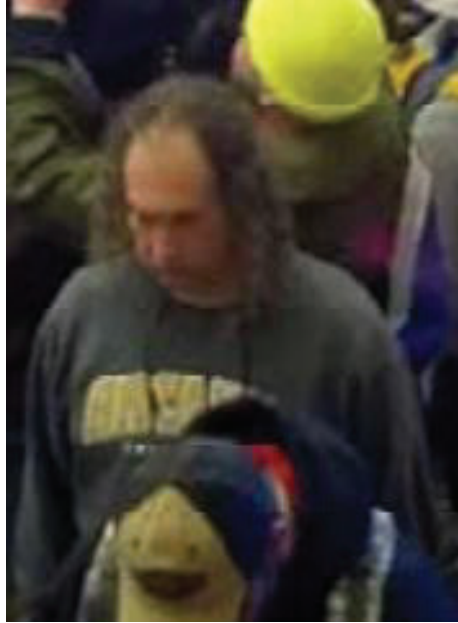


Figure 3



Figure 4¹

During the investigation, the FBI made contact with a third-party who has personal knowledge of COTTON. This individual was shown Figures 1 and 2 and was asked to identify the individual portrayed. The third-party positively identified COTTON as the individual shown in each still-shot.

Shortly before entering the Capitol Building, COTTON is visible, circled in yellow, in an open-source video standing in a large group of rioters on the West Terrace of the Capitol Grounds. (Figure 5). At approximately 2:51pm, COTTON entered through the Senate Wing

¹ <https://www.gettyimages.com/detail/news-photo/supporters-of-us-president-donald-trump-protest-inside-the-news-photo/1230728545>

Door behind a group of rioters that had just breached this entrance. (Figure 6). Once inside, he moved towards the center of the room where he stood and was observed making a phone call. (Figure 7). COTTON then turns his cell phone horizontally and appears to take either a photograph or video of the scene. (Figure 8).



Figure 5²

² https://ia904507.us.archive.org/15/items/DCRyx6RmiZGFRfQ9Y/FB_20210106_143942_mpeg4



Figure 6

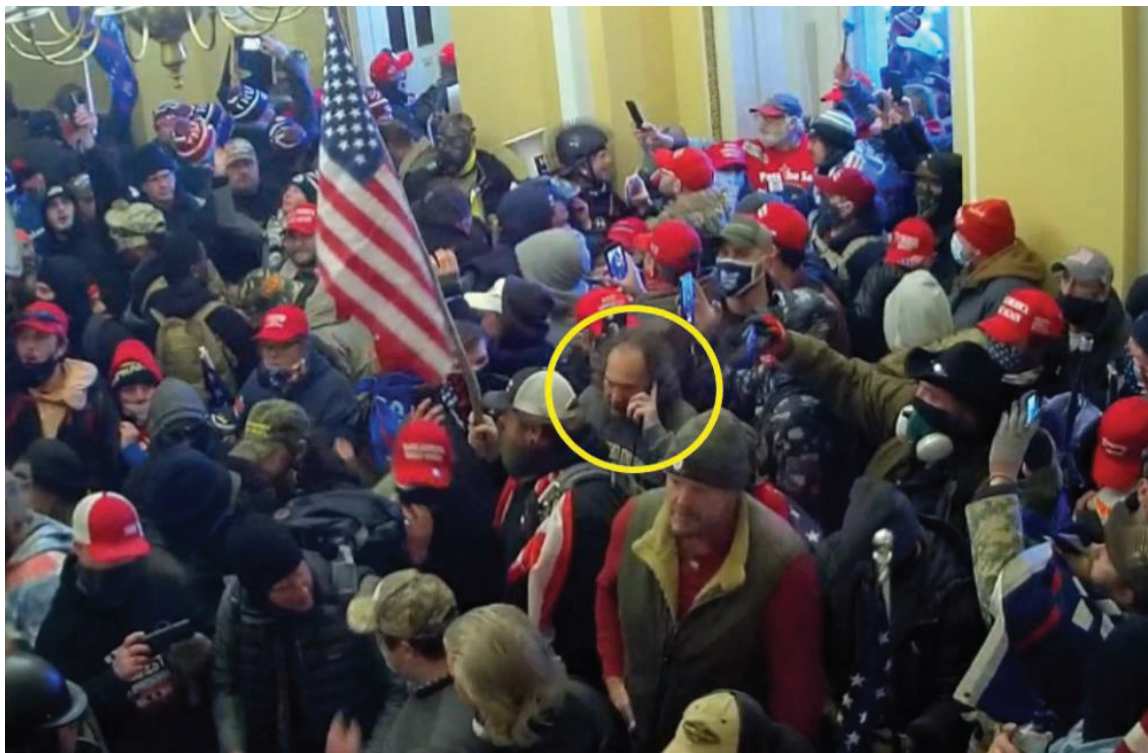


Figure 7



Figure 8

Then, at 2:55pm, COTTON appears to chant something along with the crowd. (Figure 9). An open-source video recorded by one of the participants in the crowd shows that COTTON was chanting “traitor.” (Figure 10).



Figure 9



Figure 10³

³ <https://www.youtube.com/watch?v=f80ScBHnNRk>

COTTON remains standing in the Senate Wing Door area until approximately 3:01pm and then moves further into the center of the U.S. Capitol Building towards the Crypt. (Figure 11). COTTON reappears in the Senate Wing Door entrance room again at approximately 3:05pm where he stands until U.S. Capitol Police begin corralling everyone outside of the building at 3:16pm. (Figure 12). COTTON leaves through the Senate Wing Door at 3:17pm. (Figure 13).

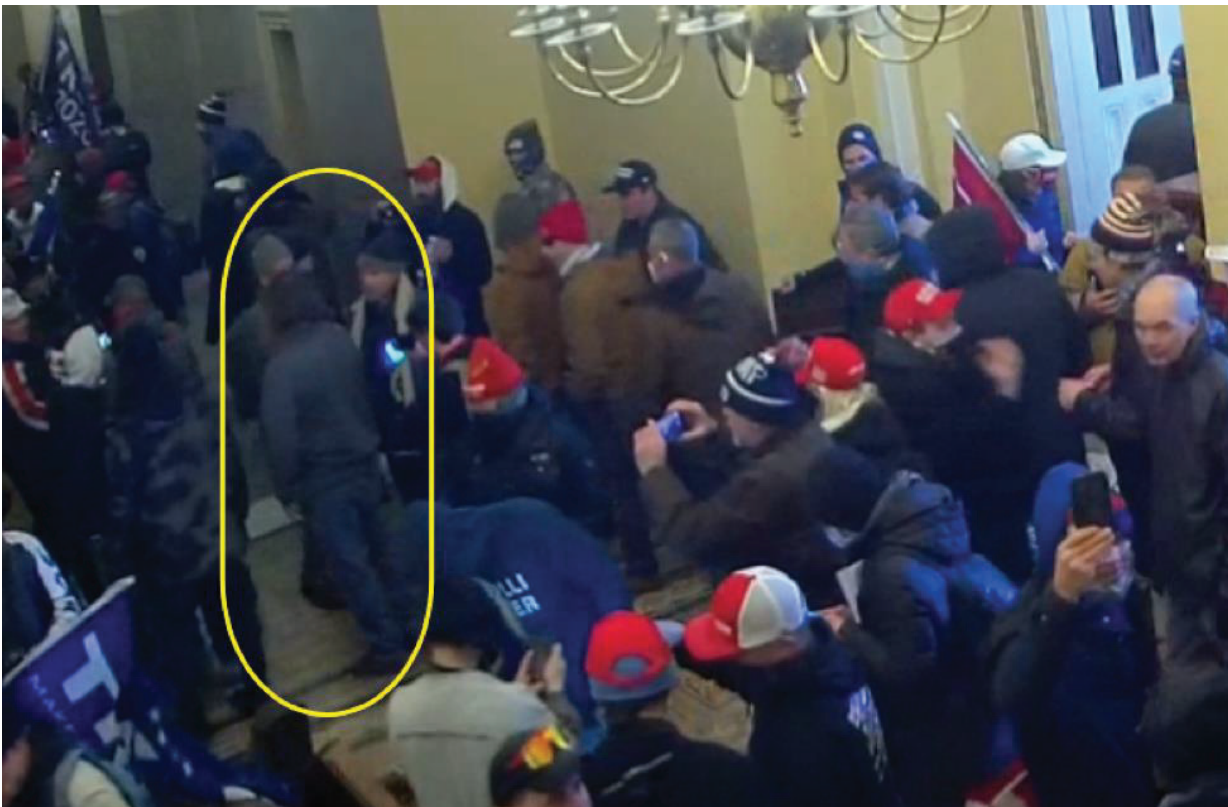


Figure 11



Figure 12



Figure 13

Additional Facts Supporting COTTON's Travel to Washington, DC

On February 28, 2022, the FBI received records through legal process to Verizon for a cell phone number ending in 4149, which is associated with COTTON. These records indicated that this number utilized cell sites consistent with providing service to a geographic area that included towns in New Jersey, Maryland, Pennsylvania, and Washington, DC. The following is an approximate timeframe of the cell site utilization in each state:

- January 5, 2021:
 - 1:15pm: One call made in Elizabeth, NJ
 - 2:21pm: One call made in Bordentown, NJ
 - 2:54pm: One call made in Matua, NJ

- January 6, 2021:
 - 10:15am: One call made in Adelphi, MD
 - 10:18am: One call made in Greenbelt, MD
 - 10:23am: One call made in College PA, MD
 - 10:33am-4:55pm: Nine calls made in Washington D.C.
 - 8:14pm-9:33pm: Four calls made in Towson, MD

- January 7, 2021:
 - 7:09am: One call made in Towson, MD
 - 8:04am: One call made in Columbia, PA
 - 8:12am: One call made in Wrightsville, PA
 - 9:53am: One call made in Allentown, PA
 - 10:20am: One call made in Bloomsbury, NJ
 - 12:05pm: One call made in Stamford, CT

These cell site hits within this timeframe are consistent with the user of the cell phone traveling south through New Jersey to Washington D.C., then back to New England from Washington D.C. at or near the conclusion of the insurrection.

Additionally, COTTON's associated vehicle, a silver 2011 Toyota Tundra with a Rhode Island license plate, was observed on license plate readers (LPR) from January 5, 2021 through January 7, 2021. The associated approximate timeframe is as follows:

- On January 5, 2021 the vehicle is observed traveling inbound on Alexander Hamilton Bridge in New York City at 12:53pm, at 12:55pm the vehicle is observed traveling southbound on George Washington Bridge in New York City, and at 3:57pm the vehicle is observed traveling southbound on Interstate 95 (I-95) in Perryville, Maryland.

- On January 6, 2021 the vehicle is observed traveling southbound on I-95 at 9:29am in Point Breeze, Maryland.

- On January 7, 2021 the vehicle is observed traveling northbound at 11:28am on George Washington Bridge and at 11:30am the vehicle is observed traveling outbound on Alexander Hamilton Bridge; both bridges are located in New York City.

CONCLUSION

Based on the foregoing, your affiant submits that there is probable cause to believe that WILLIAM B. COTTON 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 WILLIAM B. COTTON 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.



 FBI

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 6th day of December, 2022.

2022.12.06



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ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE