

## STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Washington Field Office. 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 law. I have been a Special Agent since December of 2020, in which time, I have investigated threats that are terroristic in nature, investigating crimes committed by racially motivated violent extremists, and other domestic terrorism related matters. I hold a Master's Degree in Social Work from The University of Michigan and am a Licensed Master of Social Work. I am a graduate of the FBI Academy in Quantico, Virginia, where I received extensive training in federal law and various investigative methods. As part of my duties, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. I am currently involved in the investigation of Ralph Kahler and Suzanne Kahler. I have personally participated in this investigation and have witnessed many of the facts described herein. This statement of facts comes from my personal observations, my training and experiences, and information obtained from other Agents.

### **Background on January 6, 2021 Capitol Riots**

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 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 Ralph Kahler and Suzanne Kahler**

The FBI investigated a married couple who traveled together and participated in the riot at the United States Capitol Building (USCB) on January 6, 2021 -- Ralph Kahler (R. KAHLER) and Suzanne Kahler (S. KAHLER), of Great Falls, Virginia. Law enforcement reviewed open-source materials that captured them outside the U.S. Capitol building on that day. R. KAHLER is a white male with gray hair. On January 6, 2021, R. KAHLER carried a blue backpack with black straps, and was wearing blue jeans, a dark colored long sleeve shirt, with a black vest over top, as well as a dark hat with yellow writing, small metal framed glasses, and a light blue colored surgical mask which he wore intermittently. S. KAHLER is a white female with mid-length brown hair. On January 6, 2021, S. KAHLER wore light wash blue jeans, a khaki zip up jacket, black sneakers, brown glasses and a navy-blue face mask which she wore intermittently.



**Image 1<sup>1</sup>** (R. KAHLER circled in green and S. KAHLER circled in red).

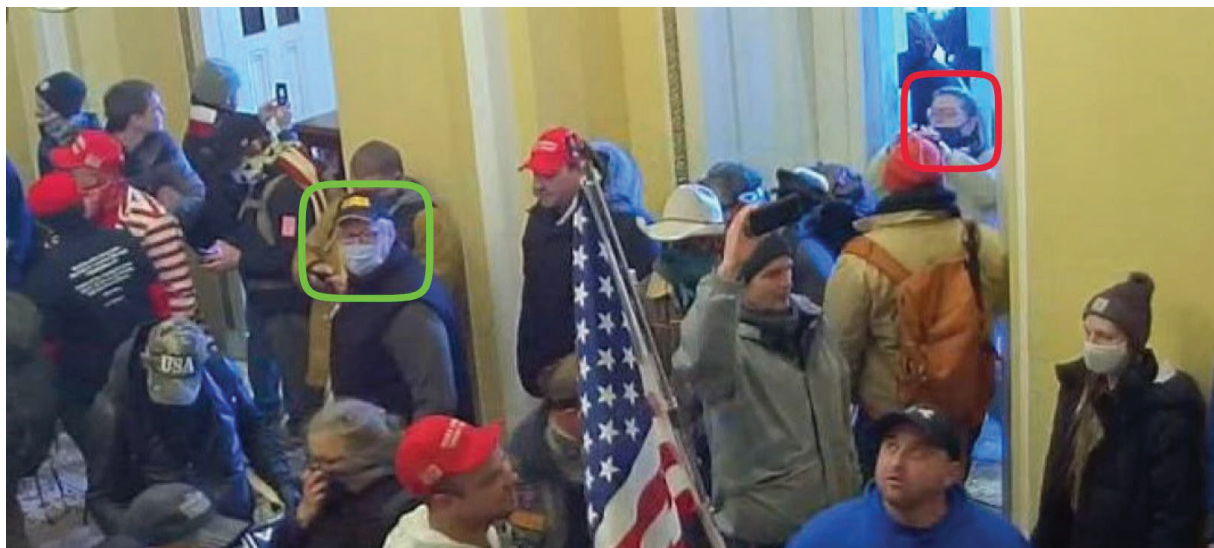
<sup>1</sup>Screenshot from [https://facebook.com/\[REDACTED\]/videos/101591346310136816](https://facebook.com/[REDACTED]/videos/101591346310136816)

On January 6, 2021, the couple moved throughout the Capitol grounds, and entered into USCB through the Senate Wing Door. R. KAHLER and S. KAHLER were identified walking up the steps from the Lower West Terrace towards the Upper West Terrace at approximately 2:34 PM. As they ascended the stairs, under the scaffolding, some rioters were climbing the scaffolding. At the top of the stairs, bike racks had been thrown to the ground, wrapped in yellow police tape. See Image 2.



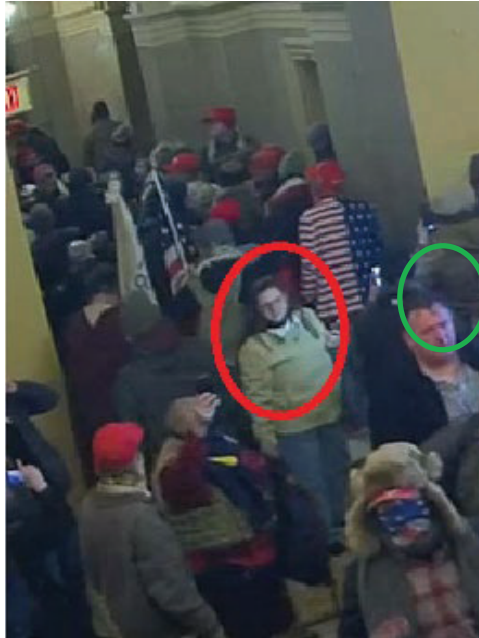
**Image 2**

Closed Circuit Television (CCTV) footage captured R. KAHLER and S. KAHLER enter and remain in the U.S. Capitol Building. R. KAHLER and S. KAHLER enter the Senate Wing Door at approximately 3:07:01 Eastern Standard Time (EST). See Image 3. At that time, the emergency door itself had shattered glass in its window and an audible alarm was sounding. There was also glass on the floor from the two shattered windows on either side of the door, and a broken podium lay on the ground, inside the Senate Wing Door.



**Image 3**

Once inside of the building, R. KAHLER and S. KAHLER took photos and continued to film their time inside. The pair then attempt to walk southbound down the hallway leading to the Crypt. Just before beginning down the hallway, S. KAHLER poses for her photo to be taken. See Image 4.



**Image 4**

Law enforcement was able to obtain the photograph taken by R. KAHLER of S. KAHLER inside the U.S. Capitol building as he sent it to others. See Image 5.



**Image 5**

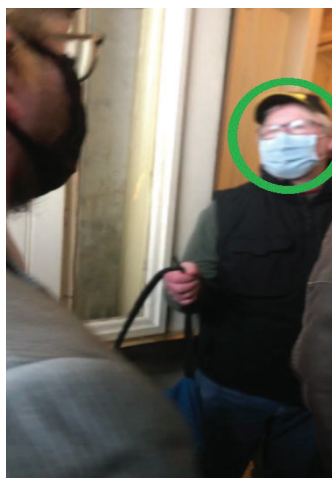
The two then continue down the hallway. After not making it very far, R. KAHLER and S. KAHLER turn around and walk back northbound and exit the Senate Wing Door, the same door they entered. CCTV camera captured R. KAHLER and S. KAHLER exiting together at 3:09:54 PM. See Image 6.



**Image 6**

In total, R. KAHLER and S. KAHLER remained inside of the U.S. Capitol along with other rioters for approximately 3 minutes.

When searching open source media, a video from ProPublica Media which was taken on the exterior side of that door, shows R. KAHLER exiting the building through the Senate Wing Door. An audible alarm can be heard as they exit. See Image 7.



**Image 7<sup>2</sup>**

<sup>2</sup> Screenshot from <https://projects.propublica.org/parler-capitol-videos/?id=NYRHCOsbj0bi>

Additional open-source footage revealed the pair standing outside on the Senate side of the Upper West Terrace, just moments after exiting the USCB. After encountering officers dressed in riot gear inside the USCB, walking past broken podiums, shattered glass and audible alarms, R. KAHLER and S. KAHLER remained in this area for approximately 29 minutes, before walking north, towards the North Door of the USCB. See Image 8.



**Image 8**

### **Identification of R. KAHLER and S. KAHLER**

Law enforcement conducted a review of law enforcement, Virginia DMV, and commercial database queries on R. KAHLER and S. KAHLER. Queries revealed that R. KAHLER and S. KAHLER reside together in Great Falls, VA. Investigating agents also compared the driver's license photograph of S. KAHLER to the image provided to the FBI as well as the videography from the CCTV footage and found the images of S. KAHLER to have a strong visual resemblance.

On November 1, 2022, law enforcement observed who appeared to be R. KAHLER working on his vehicle in the driveway of his residence in Great Falls, Virginia. On November 16, 2022, Fairfax County Police Department (FCPD) approached the residence and contacted R. KAHLER, whereby R. KAHLER confirmed his identify. Law enforcement officers who interacted with R. KAHLER confirmed he appeared to be the person in the photographs at the U.S. Capitol.

Law enforcement also observed R. KAHLER exiting and entering his residence on December 13, 2022, and March 9, 2023. Law enforcement confirmed that he appeared to match the characteristics of the individual in the photographs and surveillance videos on January 6, 2021.

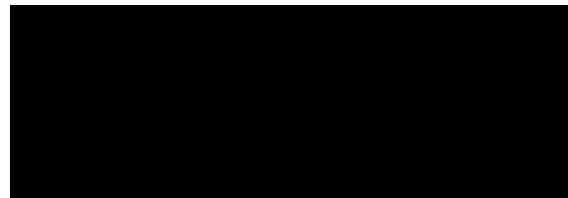
FCPD Officers also contacted S. KAHLER at the residence on April 5, 2023. On this date, FCPD initially spoke to R. KAHLER and asked to speak to the other resident of the home. R.

KAHLER stated his wife was home and called for S. KAHLER. S. KAHLER came to the door to speak with law enforcement. S. KAHLER confirmed her identity. Law enforcement officers who interacted with S. KAHLER confirmed she appeared to be the person in the photographs at the U.S. Capitol Building on January 6, 2021.

### Conclusion

Based on the foregoing, your affiant submits that there is probable cause to believe that R. KAHLER and S. KAHLER 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 R. KAHLER and S. KAHLER 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.



Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 3<sup>rd</sup> day of July, 2023.

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JUDGE ZIA M. FARUQI  
UNITED STATES MAGISTRATE JUDGE