

STATEMENT OF FACTS

Your affiant, [REDACTED] assigned as a Task Force Officer, (TFO) with the Federal Bureau of Investigation (FBI). I have been in this position since 2011. 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, detention, investigation, or prosecution of a violators 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 individuals 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, 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 Electoral College vote count for 2020 Presidential Election. The joint session began at approximately 1:00 p.m. Shortly thereafter, at 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 Senate 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. U.S. Capitol Police were present and attempted to keep the crowd away from the Capitol building with the proceedings underway inside.

At such time, the certification proceedings were still under way 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 around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol by breaking windows and by assaulting members of the U.S. Capitol Police.

Then, at approximately 2:20 p.m. members of the United States House of Representatives and Senate, including Vice President 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 captured on mobile devices of persons present on the scene depicted evidence of violations of both local and federal law, including scores of individuals inside the U.S. Capitol building without legal authority to be there.

JEREMY K. BAUCHE (hereinafter BAUCHE) with a date of birth of [REDACTED] is a resident of Connecticut.

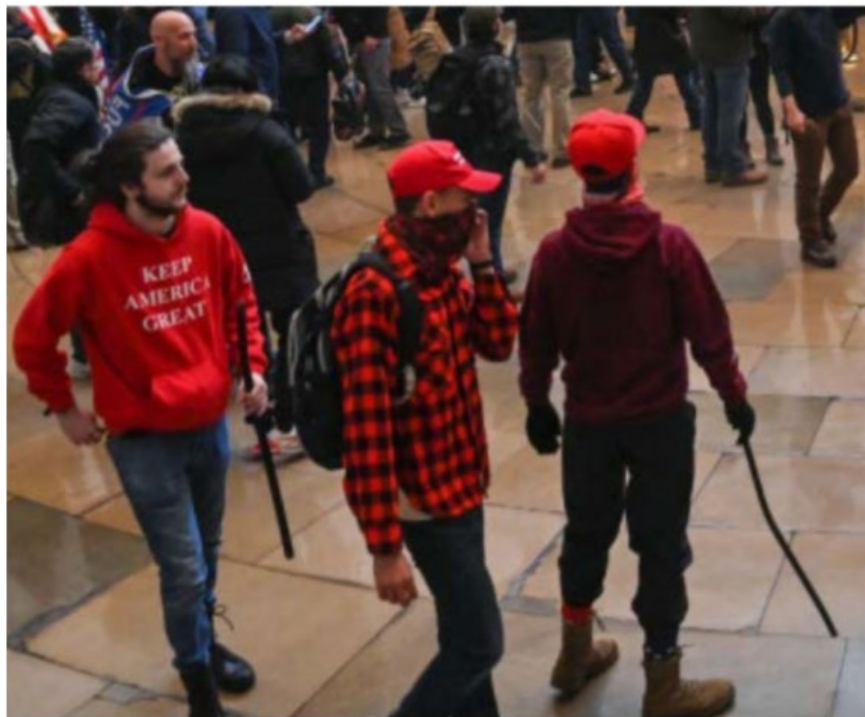
On January 13, 2021, an online tip was submitted by Tipster 1 (T-1), to the FBI National Threat Operations Center (NTOC) via tips.fbi.gov, identifying BAOUCHE, date of birth [REDACTED], cellular telephone number ending in -3633, as the subject in FBI U.S. Capitol photograph #19, wearing the red and black plaid shirt, black bookbag, jeans, red cap, and face covering.

On January 13, 2021, Tipster 2 (T-2) submitted a tip, via Office of Public Affairs (OPA) stating, "One of the people who took part in the attempted coup is named JEREMY K. BAOUCHE. He is a University of Connecticut alumni and was seen in various photos inside of the capitol building, which have been attached below. He is currently employed at General Dynamics Electric Boat as an engineer according to LinkedIn."

On January 15, 2021, Tipster 3 (T-3) submitted a tip, via OPA tips with a copy of the widely circulated FBI photograph 19 and the statement, "Red plaid shirt, red hat BAOUCHE of Connecticut."

It was later learned, however, that the individual in photograph #19 was in fact not BAOUCHE. The subject in FBI photograph #19 was identified as, Elliot Bishai, who was arrested on March 16, 2021, by the Columbia Field Office for, 18 U.S.C. § 1752(a)(1), 18 U.S.C. § 1752(a)(2), and 40 U.S.C § 5104(e)(2) case number 1:21CR282.

FBI photograph #19 is displayed below:



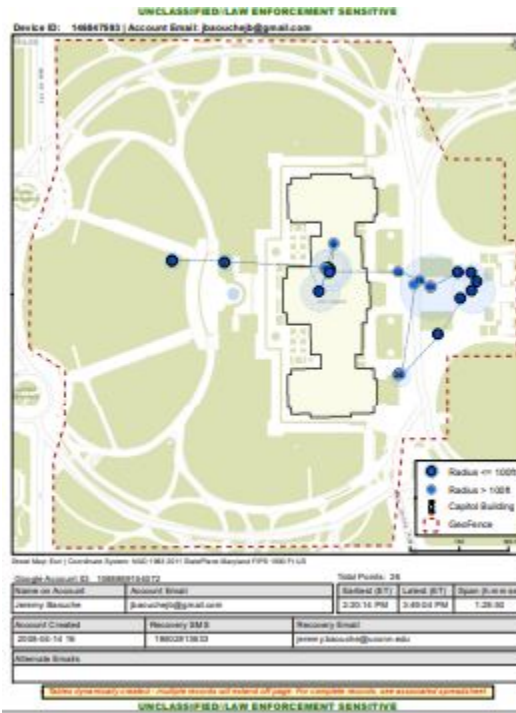
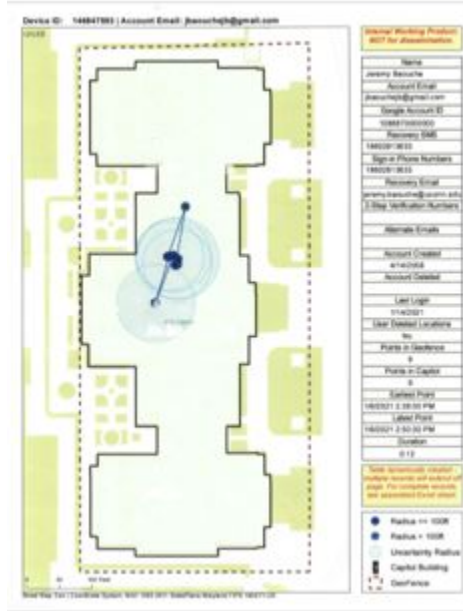
On January 20, 2021, Task Force Officers Delmar Carter and Erich Banwell, (FBI-JTTF) attempted to interview BAOUCHE at Electric Boat in Groton, Connecticut. Prior to the interview, it was learned that BAOUCHE had taken both January 5 and January 6, 2021, off from work.

Early in the interview, TFO Carter asked BAOUCHE if he knew why we wanted to speak with him. BAOUCHE stated he was unaware of any reason. TFO Carter advised BAOUCHE that they wanted to speak with him about the U.S. Capitol. BAOUCHE was told the reason for the interview and said he would not answer any questions without an attorney. The interview then ended.

On January 22, 2021, JEREMY K BAOUCHE's employer, Electric Boat (a Department of Defense Contractor), voluntarily provided TFO Carter with an internet search history from BAOUCHE's work computer from December 1, 2020, until January 20, 2021. They also provided the security banner that all employees see when they use a computer at Electric Boat that states it is subject to search by the employer. In BAOUCHE's search history there were searches on topics including the inauguration, the U.S. Capitol building layout, guns, rifle scopes, lasers, Trump protests, FBI Capitol, and searches for jobs in the western U.S. It should be noted that BAOUCHE has a secret security clearance as part of his employment.

On February 3, 2021, TFO Carter and TFO Banwell interviewed Witness 1 (W-1), a person that knows BAOUCHE and knows what he looks like. W-1 was aware that BAOUCHE had gone to the Capitol to see the President, but said they had no knowledge of BAOUCHE going into the Capitol. W-1 said that photograph #19 was not BAOUCHE and claimed they had asked people to stop saying it was him, because W-1 knew it was not him. W-1's parents were also present during the interview. They both were aware that BAOUCHE had gone to the Capitol but had no knowledge of him entering the Capitol.

According to records obtained through a search warrant served on Google, a mobile device associated with UserName: [REDACTED]@gmail.com (device # XXX-XXX-3633) was present at the U.S. Capitol on January 6, 2021. Google estimates device location using GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a "maps display radius" of 10 meters to the location data point. Finally, Google reports that its' "maps display radius" reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with [REDACTED]@gmail.com was within the U.S. Capitol at the times and locations shown in the map below. During the time period of 2:38 P.M. and 2:50 P.M. on January 6, 2021 it appears that the phone is within the US Capitol.



Based on the information above, law enforcement began reviewing video from inside of the Capitol. During this review, TFO Banwell immediately recognized BAOUCHE in the video and noted that he was wearing a similar leather jacket that he was wearing in a social media post standing with Roger Stone on January 5, 2021. In the reviewed video clip, BAOUCHE is seen in the Capitol rotunda and is carrying a megaphone and a cell phone. A still photograph from the clip appears below.



TFO Banwell and Hine, (FBI-JTTF) located additional video clips of BAOUCHE inside the U.S. Capitol on January 6, 2021. BAOUCHE was seen entering the US Capitol through the Upper West Terrace Door at approximately 2:35 EST¹. BAOUCHE is seen entering the Upper West Terrace and going up the stairs at approximately 2:35 EST. BAOUCHE enters the Rotunda at approximately 2:36 EST. BAOUCHE is seen exiting the rotunda through the north exit at 2:37 EST and reappears at the north exit at approximately 2:38 EST. BAOUCHE is picked up by USCS Cameras 0959 and 0218 at approximately 2:35 EST until 2:38 EST in the rotunda. BAOUCHE is seen exiting the Rotunda towards the north exit and reappearing between 2:40 EST and 2:52 EST. BAOUCHE exits to the east at approximately 2:51 EST. BAOUCHE leaves the Capitol building at approximately 2:52 EST. BAOUCHE is seen carrying a megaphone throughout the video clips and appears to have at least two unidentified subjects with him. Images from this footage include the images below:



¹ The times on some of the U.S. Capitol cameras record time in UTC and some record in EST. Any times recorded in UTC have been converted to EST in this affidavit.



On April 30, 2021, TFO Banwell and Carter met with Witness 2 (W-2), who works with BAOUCHE at Electric Boat. W-2 was shown still photographs clipped from the videos of BAOUCHE. W-2 was told that law enforcement was trying to identify a subject in the photograph and he was not told any other details about the subject. W-2 looked at the first photograph and immediately identified the individual as JEREY BAOUCHE. TFO Banwell asked how he knew the subject and W-2 said that it was an employee with whom he has regular contact. W-2 was asked how he knew it was him, and he said the face and the distinct hair style. W-2 was shown other still shots and he again identified the individual as BAOUCHE. W-2 added that BAOUCHE was wearing a large watch in one of the pictures that he always wears. W-2 did express concern when he saw a photo of BAOUCHE with a megaphone. TFO Banwell asked what was concerning and W-2 said it was clear that BAOUCHE was at the U.S. Capitol. W-2 then said he recalled BAOUCHE taking off January 5, 2021 and January 6, 2021. W-2 said that BAOUCHE told him he was going fishing with his grandfather. W-2 said he thought this was strange to go fishing with a grandfather in January, but then thought maybe it was ice fishing. W-2 was asked if BAOUCHE wore his pants in a distinct way. W-2 said that BAOUCHE cuffed his pants, which was unusual. In one of the video clips, BAOUCHE is seen with his pant legs cuffed. TFO Carter also noted BAOUCHE's pants were cuffed when they tried to interview him earlier. See photograph below.



In open source video, BAUCHE is seen in the Capitol, calling into the megaphone “who’s house” while people in the area responded “our house” at least three times.



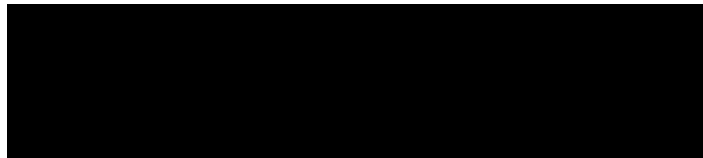
Google search warrant return summary

On approximately August 4, 2021, TFO Banwell completed a review of the Cellbrite report from the BAOUCHE Google search warrant which was submitted in this investigation. TFO Banwell reviewed the material provided from Google from November 2020 until June 2021.

Information obtained through Google on BAOUCHE'S account includes videos that appear to be taken from his phone from inside and outside of the U.S. Capitol on January 6, 2021, and photos of him with location data in Washington, D.C. on January 5, 2021. Also found was an email confirmation of a motel reservation in the name of JEREMY BAOUCHE for the Red Roof Inn Plus, in Washington, D.C. with check in on January 5, 2021 and check out on January 6, 2021. Further investigation revealed that BAOUCHE purchased a Pro-megaphone rechargeable battery and Pyle megaphone 50-watt siren bullhorn speaker with detachable microphone and lightweight strap sometime between November 22, 2020 and December 26, 2020,. The description matches the bullhorn BAOUCHE was seen carrying inside the Capitol

Based on the foregoing, your affiant submits that there is probable cause to believe that JEREMY K. BAOUCHE 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, engaged 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 JEREMY K. BAOUCHE 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 2nd of November, 2021.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE