

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.

Jeremy Daniel Groseclose
DOB: XXXXXX

Case: 1:21-mj-00250
Assigned to: Judge Faruqui, Zia M
Assign Date: 2/22/2021
Description: COMPLAINT W/ARREST WARRANT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

- 18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement During Civil Disorder,
18 U.S.C. § 1512(c)(2) - Obstruction of Justice/Congress,
18 U.S.C. §§ 1752(a)(1) and (2) - Knowingly Entering or Remaining in any Restricted Building or
Grounds Without Lawful Authority,
40 U.S.C. § 5104(e)(2) - Violent Entry and Disorderly Conduct on Capitol Grounds.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Complainant's signature

Matthew E. Lee, Special Agent
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone.

Date: 02/22/2021

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
Printed name and title

STATEMENT OF FACTS

Your affiant, Matthew E. Lee, is a Special Agent of the Federal Bureau of Investigation. In my duties as a Special Agent, I have conducted and/or assisted in criminal investigations of a variety of Federal criminal laws. 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, detention, 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, shortly 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.

On or about January 7, 2021, the FBI received a tip via its online tip submission portal. The tipster advised that Jeremy Daniel Groseclose (“GROSECLOSE”), whom the tipster identified by GROSECLOSE’s full name, was in the Capitol Building on January 6, 2021. The tipster told the FBI that GROSECLOSE, while using his Facebook profile, posted “pics pertaining to the woman who was shot, and other various bragging protesting activity.”¹ The tipster also advised GROSECLOSE subsequently removed these posts from his Facebook profile. The tipster further advised that GROSECLOSE lives near Wytheville, Virginia.

Also on or about January 7, 2021, the FBI received another tip via its online tip submission portal. The tipster advised that GROSECLOSE “had several social media posts about being at the capital and taking part in the riot. He posted a picture of blood and said he was present when the female was shot but took it down.”

I obtained photographs of GROSECLOSE and compared them to an individual identified by the FBI in various photographs and videos in and around the Capitol Building on January 6, 2021. Based on that review, I believe GROSECLOSE is the individual identified by the FBI. Photographs of GROSECLOSE and the individual in and around the Capitol Building whom I believe to be GROSECLOSE are below for reference.



Jeremy Groseclose

¹ All quotations contained herein are provided verbatim with all errors as in the original source.



Subject identified as Jeremy Groseclose at the Capitol

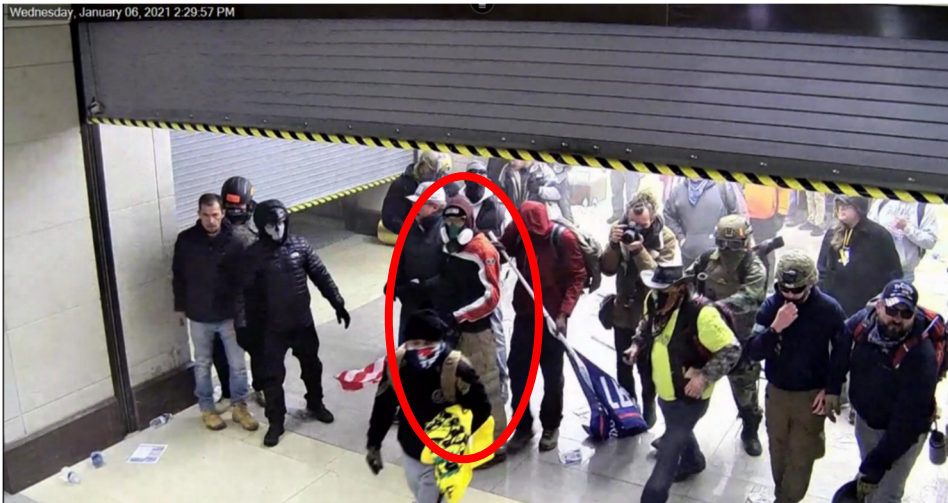
On February 6, 2021, I interviewed one of the original tipsters mentioned above. The tipster knew GROSECLOSE's family since childhood, was familiar with GROSECLOSE himself, and had followed GROSECLOSE's personal social media account. After our interview, the tipster sent me three photographs from GROSECLOSE's wife's Facebook account, two of which featured GROSECLOSE. By email, I sent the tipster the photograph on the left, above, which I believed was a photograph of GROSECLOSE outside the Capitol Building. The tipster did not receive my email until we ended the call. After receiving my email, the tipster sent me a text message which said, "looks like him [GROSECLOSE] to me."

In the photographs and videos taken outside the Capitol Building, GROSECLOSE wore a mostly black jacket with white and red stripes, which ran across the chest and down the arms. GROSECLOSE also wore a maroon hooded sweatshirt, a scarf that appeared to be yellow or tan in color, yellow tinted glasses, a black "beanie" style hat with lettering on the front, khaki pants, brown boots, and black gloves. GROSECLOSE had a dark colored helmet affixed to the front of his pants. GROSECLOSE also carried a black backpack while outside the Capitol Building.

I have reviewed at least 18 video clips from inside the Capitol Building in which GROSECLOSE is depicted. During most of his time inside the Capitol Building, GROSECLOSE wore a gas mask. However, because of the distinct outfit described above, GROSECLOSE was continuously distinguishable from other subjects. Photographs of GROSECLOSE outside the Capitol Building and inside while wearing a gas mask, are below for reference.



Groseclose outside Capitol Building



Groseclose inside Capitol Building

On some occasions during his time inside the Capitol Building, GROSECLOSE removed his gas mask. These instances were captured by surveillance video inside the Capitol Building, and I have reviewed those videos. I believe the person who removed the aforementioned gas mask was GROSECLOSE based on his physical characteristics.

In several of the surveillance videos taken inside the Capitol Building, GROSECLOSE can be seen retrieving a cellular phone from his person and utilizing it. In the videos, GROSECLOSE appears to be taking pictures and videos of himself and others while inside the Capitol Building. For example, at approximately 2:39 pm, GROSECLOSE appeared to use a mobile phone to record law enforcement officers as they endured a physical struggle with another subject. In another

surveillance video, GROSECLOSE appeared to use a mobile phone to take a picture of a dark red substance on the floor of the Capitol Building just outside of the Rotunda. Based on the tips received by the FBI described above, I believe this is the picture the tipsters described as GROSECLOSE's social media post of a picture of blood.

In addition to unlawfully entering the restricted areas of the Capitol grounds and the Capitol Building, GROSECLOSE also acted in concert with other subjects to impede the efforts of U.S. Capitol Police to secure the Capitol Building against intruders. Specifically, at approximately 2:29 pm, U.S. Capitol Police officers attempted to close a roll-up door located on the East side of the Crypt. I know the Crypt is a circular room in the Capitol Building located directly below the Rotunda. GROSECLOSE and other subjects approached the door as it was closing and tried to prevent the door from closing by placing chairs, trash cans, and other objects under the door.

GROSECLOSE and others also used their hands to lift the door as it was closing. While GROSECLOSE and others did this, U.S. Capitol Police officers tried to remove the objects placed under the door and to prevent GROSECLOSE and the others from lifting the door as it closed. While reviewing the video of this incident, I saw GROSECLOSE help another subject place a trash can under the closing door. I also saw GROSECLOSE use his hand to help lift the closing door despite the efforts of U.S. Capitol Police officers to stop him from doing so.

Ultimately, GROSECLOSE and the other subjects successfully prevented the door from closing and moved forward toward the retreating U.S. Capitol Police officers. Some of the subjects whom GROSECLOSE had joined threw trash cans, water bottles, and other objects at the U.S. Capitol Police officers. Once the U.S. Capitol Police officers had retreated and the roll-up door was opened, GROSECLOSE and the other subjects continued their illegal activity of moving throughout the restricted areas of the Capitol Building. GROSECLOSE remained in the Capitol Building for over two hours after thwarting these efforts of U.S. Capitol Police.

According to records obtained through a search warrant served on Google, a mobile device associated with JeremyGroseclose@gmail.com was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including 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 JeremyGroseclose@gmail.com was within the U.S. Capitol at coordinates associated with the center of the Capitol Building, which I know includes the Rotunda, at 2:56 p.m. Google records show that the "maps display radius" for this location data was 34 meters.

Law enforcement officers, to the best of their ability, have compiled a list (the "Exclusion List") of any Identification Numbers, related devices, and information related to individuals who were authorized to be inside the U.S. Capitol during the events of January 6, 2021, described above. Such authorized individuals include: Congressional Members and Staffers, responding law enforcement agents and officers, Secret Service Protectees, otherwise authorized governmental

employees, and responding medical staff. The mobile device associated with JeremyGroseclose@gmail.com is not on the Exclusion List. Accordingly, I believe that the individual possessing this device was not authorized to be within the U.S. Capitol Building on January 6, 2021. Furthermore, surveillance footage from the Rotunda, time-stamped within a minute of 2:56 p.m., shows GROSECLOSE, in his distinctive clothing, using his cell phone in an apparent attempt to take a picture.

Records provided by Google revealed that the mobile device associated with JeremyGroseclose@gmail.com belonged to a Google account registered in the name of "Jeremy Groseclose." The Google account also lists a recovery SMS phone number that matches 276-617-1148. The recovery email address for this account appears to be in the name of GROSECLOSE's significant other, with whom he has two children in common. Additionally, I have reviewed subscriber records from U.S. Cellular, related to the phone number 276-617-1148. This number, along with another, are connected to an account in the name of GROSECLOSE's significant other. The billing address for this account is 113 Brake Road, Elliston, Virginia 24087. One of GROSECLOSE's neighbors identified 113 Brake Road as GROSECLOSE's address.

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

Your affiant also submits there is probable cause to believe that GROSECLOSE violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department,

agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Finally, your affiant submits there is probable cause to believe that GROSECLOSE violated 18 U.S.C. §§ 1512(c)(2) and 2, which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.



Matthew E. Lee
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 22nd day of February 2021.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE