

## STATEMENT OF FACTS

Your Affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation (“FBI”), assigned to the [REDACTED]. In my duties as a Special Agent, I have interviewed subjects, victims, and witnesses regarding allegations, I have prepared subpoenas for telephone, online, and financial information, and I have analyzed these records to identify information pertinent to the investigation. I have also prepared and executed search warrants both at physical locations and for telephone and online data, and have prepared and executed arrest warrants. Over the course of my career, I have become familiar with the manner in which criminal activity is carried out, and the efforts of persons involved in such activity to avoid detection by law enforcement. Currently, I am tasked with investigating criminal activity in and around the United States (“U.S.”) Capitol grounds on January 6, 2021. As an FBI 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.

### *Background of Events on January 6, 2021*

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 LEWIS*

#### **A. Specific Facts Pertaining to the Identification of William Lewis (AFO-283)**

On March 23, 2022, the FBI posted to the internet “Be on the Lookout” (“BOLO”) alerts for many individuals who were filmed or photographed at the Capitol on January 6, 2021. The FBI designated the individual depicted below “AFO-283” and posted the following images seeking information from the public regarding the identity of AFO-283:<sup>1</sup>



*Images 1-4 are images of “AFO-283” published to [fbi.gov/wanted/capitol-violence-images](https://www.fbi.gov/wanted/capitol-violence-images)*

Based on my review of various videos and photos depicting AFO-283 on January 6, 2021, I have observed that AFO-283 was wearing a black jacket with a U.S. Army star logo on the left sleeve and a faint American flag on the right sleeve, a gray-colored shirt, a dark gray or black skull cap with the word “Carhartt” in white letters across the front, sun glasses with blue-green-colored

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<sup>1</sup> On various social media websites, AFO-283 was given the moniker, “CarharttWasp,” based on his wearing of a Carhartt-brand hat and use of what appears to wasp and hornet spray, as discussed below.

mirrored tint, black and white colored gloves, a printed gaiter around his neck, a black backpack with a small, furred American flag strapped onto the right side, light blue-colored pants, and dark-colored shoes.

On March 24, 2022, an anonymous tipster submitted information to the National Threat Operations Center (“NTOC”) identifying “the man in Chicago who used wasp spray at the riot, and who was on CBS news yesterday,” as “Billy Lewis of Burbank, IL.”

On March 24, 2022, another tipster (“Witness-1”) called NTOC and identified AFO-283 as “Bill (AKA Billy) Lewis in Burbank, IL.”

On March 28, 2022, Witness-1 was interviewed by the FBI. Witness-1 was shown images of AFO-283 from January 6, 2021 that were published by the FBI online (Images 1-4). Witness-1 identified AFO-283 as “Bill Lewis.” Witness-1 was also shown a driver’s license photograph of WILLIAM LEWIS, who Witness-1 identified as the same person Witness-1 recognized in Images 1-4. Witness-1 explained that s/he had met LEWIS many years prior when they lived in the same neighborhood. Approximately one year prior to the interview, LEWIS told Witness-1 that LEWIS had been present at the U.S. Capitol on January 6, 2021. Witness-1 provided a telephone number with area code [REDACTED] and ending in -[REDACTED] (the “[REDACTED] number”) as the contact number s/he had for LEWIS. Witness-1 also knew LEWIS to reside at particular address in Burbank, IL (the “Burbank address”). The Burbank address is the address listed on LEWIS’s driver’s license.

According to records provided by T-Mobile pursuant to subpoena, the subscriber of the 1141 number was a William Lewis at an address in Texas. According to records provided pursuant to subpoena by Commonwealth Edison Company, an electric utility company serving northern Illinois, LEWIS had a residential address of the Burbank address and the [REDACTED] number.

According to historical cell site data associated with the [REDACTED] number, a cellphone associated with the [REDACTED] number accessed cell towers in the vicinity of the U.S. Capitol Building between approximately 2:00 p.m. EST to 4:20 p.m. EST on January 6, 2021. In addition, the cellphone associated with the [REDACTED] number accessed cell towers in the following areas at the following times:

- On January 4, 2021, between 12:00 a.m. EST and 3:00 p.m. EST, the cellphone associated with the [REDACTED] number accessed cell towers in Burbank, Illinois.
- On January 5, 2021, between 3:00 p.m. EST and 11:00 p.m. EST, the cellphone associated with the [REDACTED] number accessed cell towers in Tappahannock, Virginia and Laneview, Virginia.
- On January 7, 2021, at 11:58 a.m. EST, the cellphone associated with the [REDACTED] number accessed cell towers in Laneview, Virginia.

- On January 9, 2021, the cellphone associated with the [REDACTED] number accessed cell towers in Burbank, Illinois.

According to American Express records provided pursuant to subpoena, a credit card account in the name of William Lewis with an address in Burbank which I know to be the address of LEWIS’s mother, and which is around the corner from LEWIS’ actual residence, was used in the following transactions between January 4, 2021 and January 13, 2021 as indicated in the chart below. The locations of these transactions are depicted on a map in Image 5 below.

Date	Transaction	Location
01/04/21	SUNOCO 0672922200 0672 330-542-9615	NEW SPRINGFIELD, OH
01/05/21	WAL-MART SUPERCENTER 1730 1730 DISCOUNT STORE	TAPPAHANNOCK, VA
01/08/21	SUNOCO 0211127600 0211 219-778-8013	ROLLING PRAIRIE, IN
01/08/21	TRAVEL MART OH-TPK 4409855500	AMHERST, OH
01/08/21	SUNOCO 0042298000 0042 804-443-2046	DUNNSVILLE, VA
01/13/21	WAL-MART 1779 1779 DISCOUNT STORE	BRIDGEVIEW, IL



Image 5

According to records provided pursuant to subpoena by Walmart, the purchase made on January 5, 2021 in Tappahannock, VA included a “Quest Day Pack, color black, 19 x 13.61 x 5 inches.” A representative from Walmart Global Investigations provided a photo of a Walmart product available (as of February 2023) for purchase (Image 6) and represented that this item is “very close” to the item purchased on January 5, 2021. Your Affiant visually compared that item to the backpack LEWIS was observed wearing in video footage at the U.S. Capitol on January 6, 2021 (Images 7 and 8) and assessed that the two backpacks appeared to be the same or very similar.



Image 6



Image 7



Image 8

Based on the information above, I believe that WILLIAM LEWIS is AFO 283. Images 9 and 10 below depict LEWIS during the riot without and with the printed gaiter covering part of his face.



Image 9

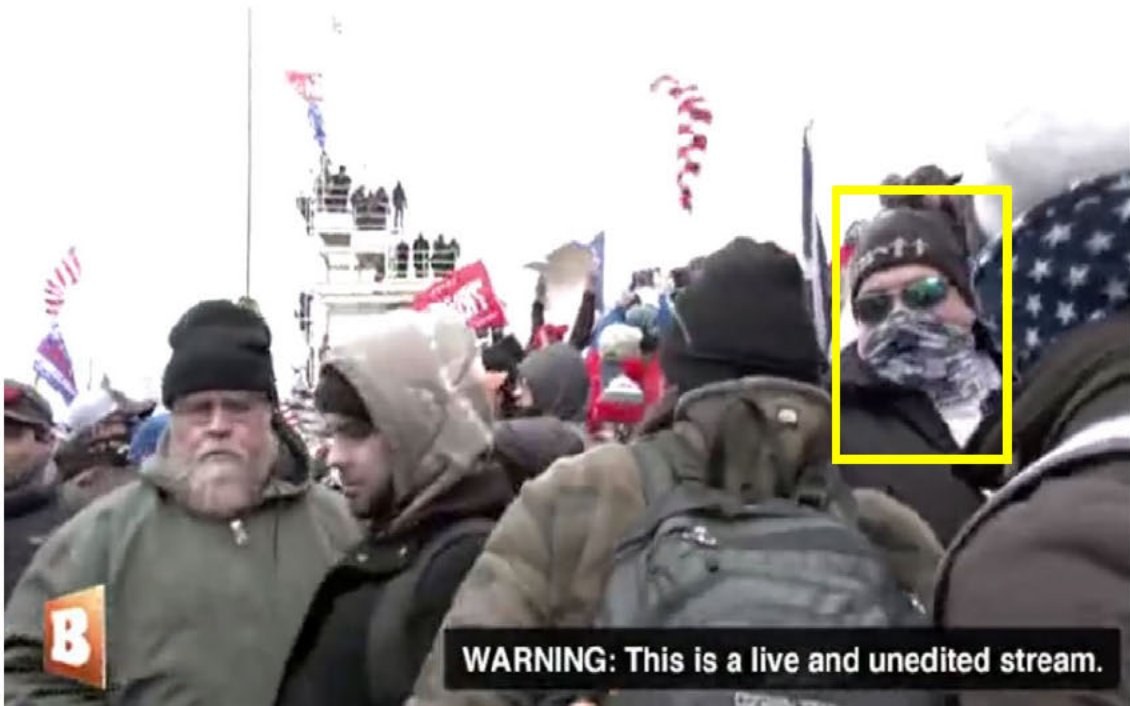


Image 10

**B. LEWIS’s Conduct on January 6, 2021**

On January 6, 2021, LEWIS participated in the riot at the United States Capitol. He deployed what appears to be wasp and hornet spray at law enforcement officers on the West Plaza, threw the cannister in the direction of law enforcement officers, and struck multiple U.S. Capitol building windows on the Lower West Terrace with an object that appears to be a law enforcement baton.

Based on my review of body-worn camera (“BWC”) footage and open-source video footage from the vicinity of the U.S. Capitol on January 6, 2021, I have ascertained three separate incidents on the West Plaza of the U.S. Capitol involving in which LEWIS deployed the spray against law enforcement officers. These incidents are hereinafter referred to as: “First Spray Event”, “Second Spray Event”, and “Third Spray Event.” After the Third Spray Event, LEWIS threw the spray canister in the direction of law enforcement officers.

**1. The First Spray Event (approximately 2:12 p.m.)**

Metropolitan Police Department (“MPD”) BWC footage recorded on January 6, 2021 depicts officers being sprayed by LEWIS. (Images 11-12) In Image 12, LEWIS is seen from behind with an outstretched right arm holding a spray can in his hand in a manner consistent with deployment. His right hand is circled in red. The American flag attached to his backpack appears outlined in a red square. During the First Spray Event, LEWIS sprayed MPD Officer K. H., MPD Officer H. F., MPD Officer M. K., MPD Officer M. V., and MPD Officer S. C-B.



Image 11 – First Spray Event (Approximately 2:12:01 p.m. EST)





Image 12

## 2. The Second Spray Event (approximately 2:21 p.m.)

In the Second Spray Event, LEWIS deployed spray at MPD Officer S. N. and MPD Officer D. T. (Images 13-14) In Image 13, LEWIS (viewed from behind) has stretched his hand (circled in red) and is about to deploy spray. The star logo Army patch on his jacket sleeve is framed with an orange square. Image 14, a screen capture from Officer D.T.'s BWC, shows the droplets of white foam deployed from LEWIS' canister flying toward Officer D.T., whose hand is grasping a bike rack. In Image 14, rioters in the center-left of the image are blocking a direct view of LEWIS.

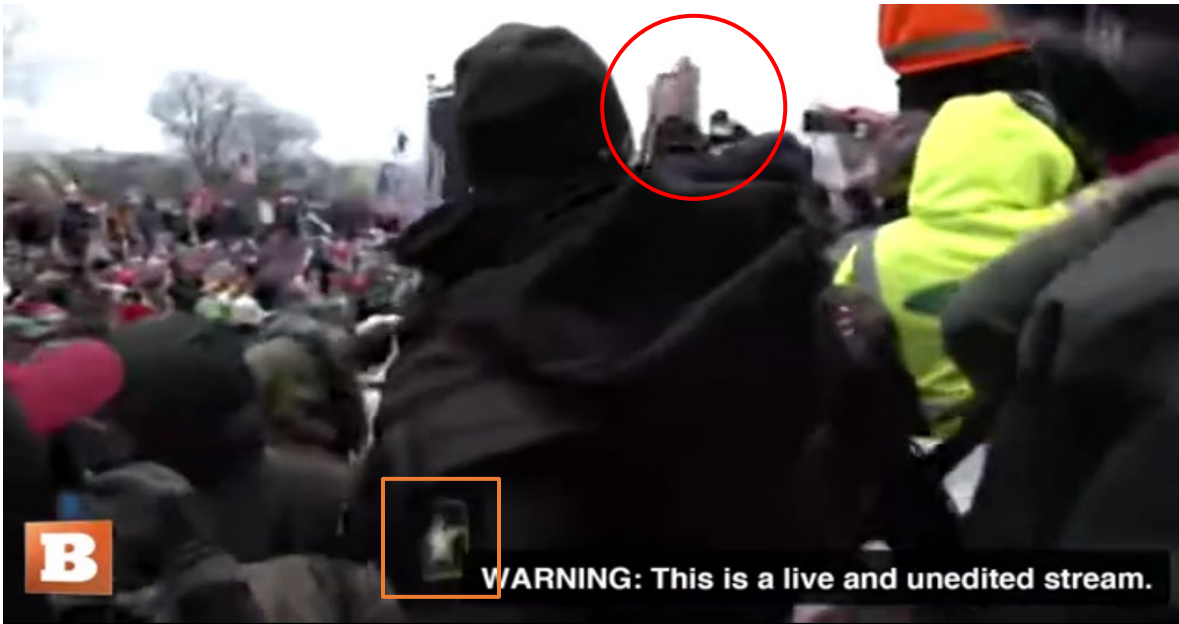


Image 13 – Second Spray Event



Image 14 – Officer D.T. BWC at 2:21:20 p.m.

### 3. The Third Spray Event (approximately 2:23 p.m.)

In the Third Spray Event, LEWIS sprayed MPD Officer J. G. (Images 15-20) The Third Spray Event was observed in video footage from MPD Officer J. G.'s BWC camera. In Image 15, LEWIS, circled in red, is facing Officer J.G. Image 16 features a red arrow showing the canister of spray in LEWIS' possession immediately prior to deployment. On March 16, 2021, Officer J.G. was interviewed by the FBI regarding his experience at the U.S. Capitol on January 6, 2021. Officer J. G. was shown video footage depicting LEWIS spraying the canister in his direction. Officer J. G. was able to identify himself in the video. Officer J. G. stated that he was pepper-sprayed in the mouth, and that he remembers a white male wearing all black spraying something

at him from a big canister. Officer J.G. experienced a burning sensation on his face and in his eyes as a result of being sprayed. It appears from the video that LEWIS depleted the spray canister during this Spray Event, then threw the empty can toward officers.



Image 15 – Third Spray Event (Officer J.G. BWC at 2:23:23 p.m.)



Image 16

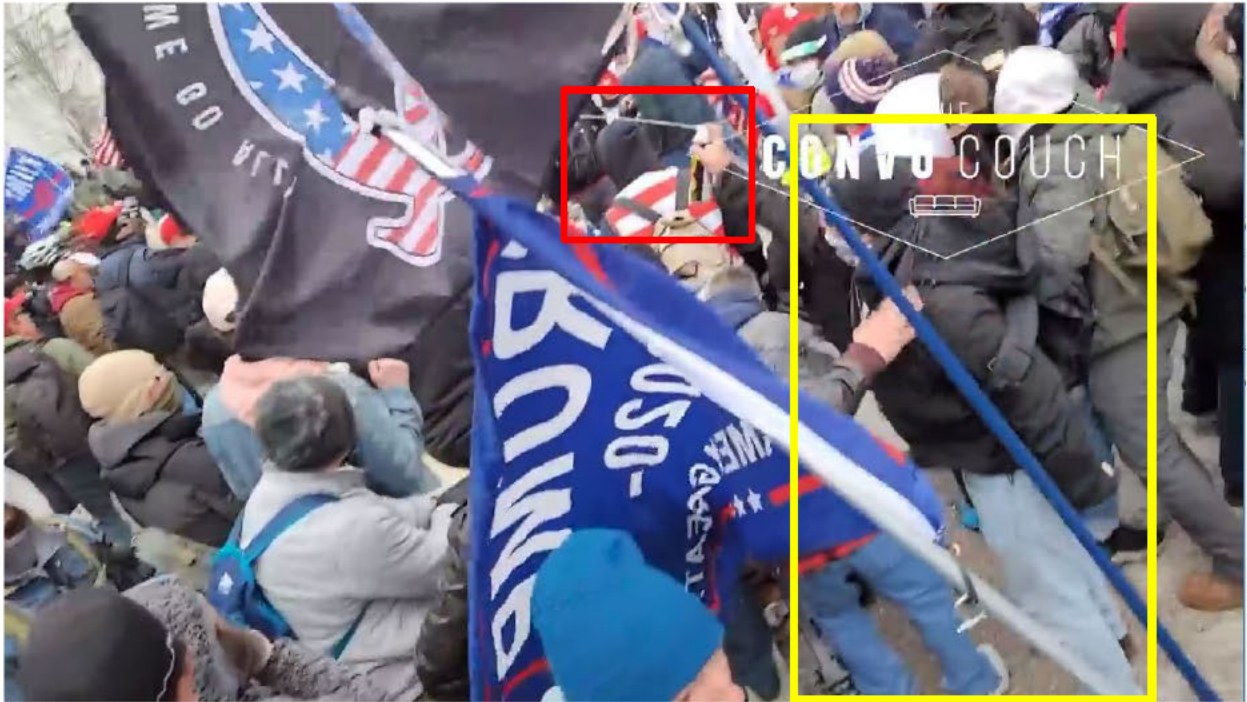


Image 17 – LEWIS deploying stream of spray



Image 18 – Lewis holding depleted cannister after Third Spray Event

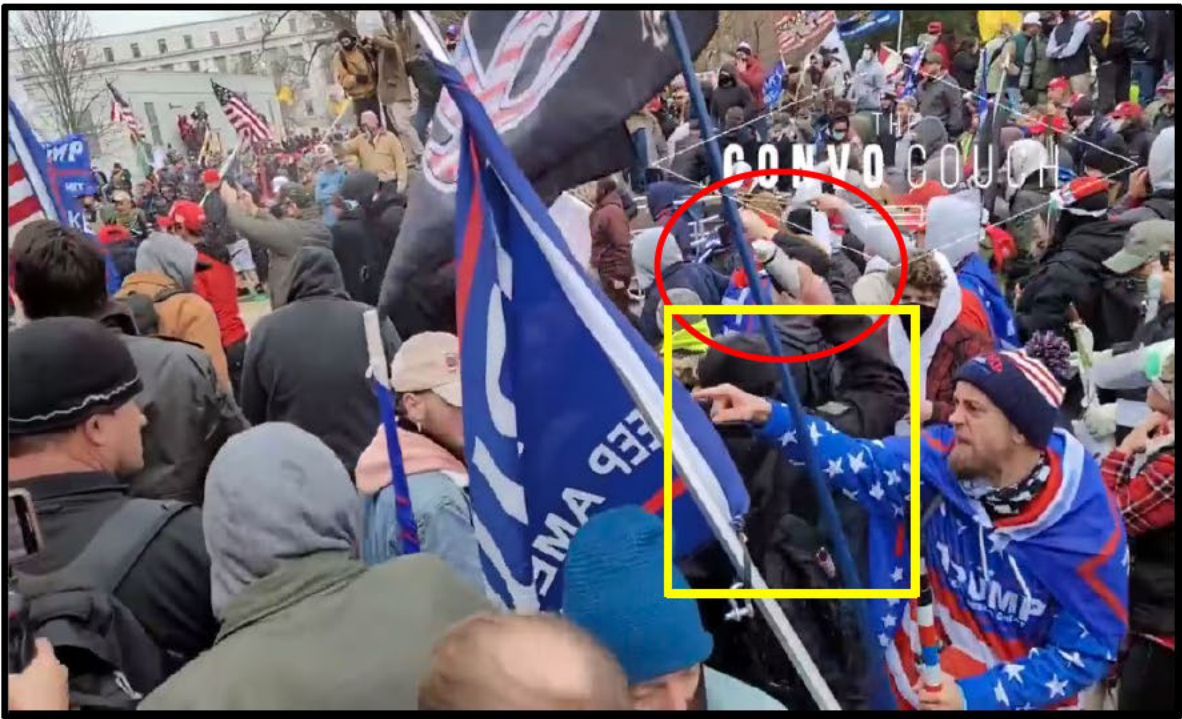
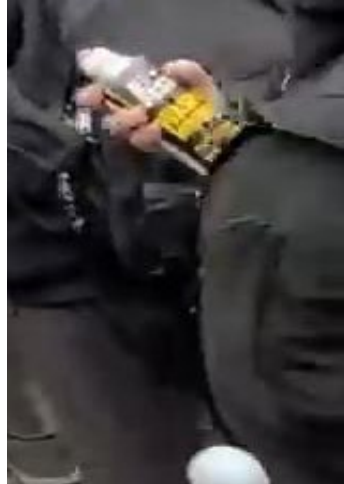


Image 19 – Lewis about to throw canister



Image 20 – Canister flying after being thrown

The assessment that LEWIS was specifically deploying a wasp and hornet spray is based on your Affiant's visual comparison of a still image from video footage showing the canister that LEWIS deployed to a "NO-PEST WASP & HORNET Killer" spray canister that is available for purchase on the internet. (Images 21 - 22) Your Affiant determined the canisters to be visually consistent.



Images 21 (left) still image from video depicting canister Lewis held on January 6, 2021 & Image 22 (right) of “NO-PEST WASP & HORNET Killer” obtained from Google Images

#### **4. Destruction of Windows**

Subsequently, LEWIS advanced to the Lower West Terrace of the Capitol building, where a stage was being constructed for the upcoming presidential inauguration. There, LEWIS used what appears to be a baton to strike and break at least three glass panes of a window located immediately to the right (i.e., north) of the Lower West Terrace tunnel. He can be observed striking three separate window panes, hereinafter referred to as “Pane 1”, “Pane 2”, and “Pane 3.” (Images 23 – 24) According to the Architect of the Capitol, the cost of repairing these three window panes was \$1,761.



Image 23 – Pane 1 outlined in red



Image 24 – Panes 2 (left) and 3 (right)



Image 25 – Lewis, after striking panes

Based on the foregoing, your Affiant submits that there is probable cause to believe that WILLIAM LEWIS violated 18 U.S.C. §§ 111(a)(1) (Assaulting, Resisting, or Impeding Certain Officers or Employees), which makes it unlawful to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in Section 1114 of Title 18 while engaged in or on account of the performance of official duties, or aid, abet, counsel, command, induce, or procure the commission of such offense, and punish the commission of such acts using a deadly or dangerous weapon. For purposes of Section 111 of Title 18, United States Capitol Police Officers constitute persons designated in Section 1114 of Title 18.

Your Affiant submits there is also probable cause to believe that WILLIAM LEWIS violated 18 U.S.C. § 231(a)(3) (Civil Disorder), 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 Secret Service's protection of the Vice President and his family and the Capitol Police's protection of the U.S. Capitol.

Your Affiant submits there is also probable cause to believe that WILLIAM LEWIS violated 18 U.S.C. § 1361, by willfully injuring or committing any depredation against government property, that is, a window of the Capitol building, causing damage in an amount of more than \$1000.

Your Affiant submits there is also probable cause to believe that WILLIAM LEWIS violated 18 U.S.C. §§ 1752(a)(1), (2), and (4), which make it a crime to which (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; and (4) knowingly engage in any act of physical violence against any person or property in any restricted building or grounds; or attempt or conspire 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.

Finally, your Affiant submits there is also probable cause to believe that WILLIAM LEWIS violated 40 U.S.C. § 5104(e)(2)(F) which makes it a crime to willfully and knowingly engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

  
  
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 7th day of November, 2023.

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U.S. MAGISTRATE JUDGE