

STATEMENT OF FACTS

Your affiant, is a Special Agent with the Federal Bureau of Investigation (FBI) and I am currently assigned to the FBI's Baltimore Field Office. 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 violations 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 U.S. Congress convened at the U.S. 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.

Evidence Linking WILKERSON to Assault on the U.S. Capitol

On or about January 26, 2021, the FBI received a tip that a Snapchat user with the name “Jacew4” had posted a video bragging about being inside the U.S. Capitol building.

On or about January 29, 2021, FBI interviewed an individual (“Person 1”) by telephone. Person 1 said he/she saw a video on the Snapchat account “Jacew4” showing JOHN CLARENCE WILKERSON IV at the riot outside the U.S. Capitol on January 6, 2021. Person 1 recalled seeing WILKERSON’s face and that he had a bandana around his neck. Person 1 said that at the end of the day on January 6, 2021, Person 1 saw WILKERSON posting a picture of himself at a bar with two other males, with a caption stating words to the effect that “today was a good day, we got inside the Capitol.” Person 1 said WILKERSON also stated in sum and substance that he would not be posting pictures and videos of the inside of the Capitol “for obvious reasons.”

The FBI obtained video from the U.S. Capitol during the riots shows an individual matching WILKERSON’s description outside the Capitol building. In the video, the individual is wearing a blue and white bandana around his neck, consistent with the description given by Person 1 (*see Fig. 1*).



Fig. 1

Additional publicly available video shows an individual matching WILKERSON’s description walking inside the U.S. Capitol on January 6, 2021. This individual has a blue and white bandana around his neck and mouth, matching the bandana seen in Figure 1. In the video, the individual is carrying a cellphone in his left hand, but also appears to be communicating with someone using a two-way radio in his right hand (*see Fig. 2*).



Fig. 2

On or about February 11, 2021, the FBI met with Person 1. Person 1 identified the individual seen in Fig. 1 and Fig. 2 as WILKERSON, who Person 1 knew approximately 10 years earlier, and who Person 1 still followed on some social media platforms. Person 1 also said that based on having seen WILKERSON's recent social media postings, Person 1 believes that WILKERSON lives on a boat in Maryland. Person 1 showed the FBI a January 11, 2021, post on the "Jacew4" Snapchat account depicting WILKERSON driving in the snow in Bel Air, MD.

A U.S. Postal Inspector has confirmed that JOHN CLARENCE WILKERSON IV maintains a Post Office Box in Bel Air, Maryland. I have confirmed Person 1's identification of WILKERSON by comparing images of the person identified by Person 1 as WILKERSON against the photograph of WILKERSON maintained by the Maryland Vehicle Authority.

Records obtained from Snapchat show that the subscriber of the "jacew4" Snapchat account provided the email address of "jwilkinsoniv@[provider].com."

Records obtained from Google show that the subscriber of the "jwilkinsoniv@[provider].com" email account provided a phone number ending in -1442.

According to records obtained through a search warrant which was served on Verizon, on January 6, 2021, in and around the time of the incident, the cellphone associated with the phone number ending in -1442 was identified as having utilized a cell site consistent with providing service to a geographic area that includes the interior of the United States Capitol building.

Based on the aforementioned evidence, there is probable cause to believe that WILKERSON was present inside the U.S. Capitol on January 6, 2021 during the riot and related offenses that occurred at the U.S. Capitol Building on January 6, 2021 and participated in the obstruction of the Congressional proceedings.

Your affiant submits that there is also probable cause to believe that WILKERSON 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 WILKERSON 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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 12th day of March 2021.

A handwritten signature in black ink that reads "G. Michael Harvey".

Digitally signed by G. Michael
Harvey
Date: 2021.03.12 18:24:08
-05'00'

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE