

UNITED STATES DISTRICT COURT
for the
District of Columbia

United States of America

v.

Marissa A. Suarez DOB [redacted]
Patricia Todisco DOB [redacted]

Case No.

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 [redacted] in the county of [redacted] in the
[redacted] in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

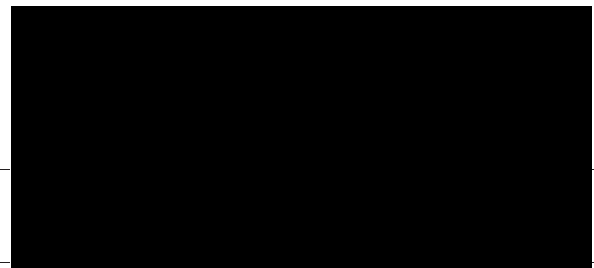
18 USC 1752(a) Knowingly Entering or Remaining in any Restricted Building or Grounds Without
Lawful Authority

40 USC 5104(e)(2) Violent Entry and Disorderly Conduct on Capitol Grounds

This criminal complaint is based on these facts:

See attached statement of facts.

[X] Continued on the attached sheet.



Printed name and title

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

Date: 01/19/2021

[Signature]

2021.01.19
16:55:39 -05'00'

Judge's signature

Robin M. Meriweather, U.S. MAGISTRATE JUDGE

Printed name and title

City and state: Washington D.C.





## **BACKGROUND**

5. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, located at First Street Southeast, Washington, District of Columbia. During the joint session, elected members of the United States House of Representatives and Senate met in the United States Capitol to certify the vote count of the Electoral College for the 2020 Presidential Election, which took place on November 3, 2020.

6. The United States Capitol is secured 24 hours a day by security barriers and USCP occupy various posts throughout the grounds. Restrictions around the United States Capitol include permanent and temporary security barriers and posts manned by USCP. USCP officers wore uniforms with clearly marked police patches, insignia, badges, and other law enforcement equipment. Only authorized people with appropriate identification are allowed access inside the United States Capitol. On January 6, 2021, the exterior plaza of the United States Capitol was also closed to members of the public.

7. The January 6, 2021 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 Michael R. Pence was present and presiding, first in the joint session, and then in the Senate chamber.

8. As the proceedings continued in both the House and the Senate, and with Vice President Pence present and presiding over the Senate, a large crowd gathered outside the United States Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the United States Capitol building and USCP were present, attempting to keep the crowd away from the Capitol building and the proceedings underway inside. As the certification

proceedings were underway, the exterior doors and windows of the Capitol were locked or otherwise secured.

9. At approximately 2:00 p.m., certain individuals in the crowd forced their way through, up, and over the barricades, and past officers of the USCP, and the crowd advanced to the exterior façade of the building. The crowd was not lawfully authorized to enter or remain in the building and, prior to entering the building, no members of the crowd submitted to security screenings or weapons checks by the USCP or other authorized security officials.

10. A short time later, 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 Pence, were instructed to—and did—evacuate the chambers. As such, all proceedings of the United States Congress, including the joint session, was effectively suspended until shortly after 8:00 p.m. the same day. In light of the dangerous circumstances caused by the unlawful entry to the United States Capitol, including the danger posed by individuals who had entered the United States Capitol without any security screening or weapons check, Congressional proceedings could not resume until after every unauthorized occupant had left the United States Capitol, and the building had been confirmed secured. The proceedings resumed at approximately 8:00 pm after the building had been secured. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

11. After the Capitol was breached, USCP requested assistance from MPD and other law enforcement agencies in the area to protect the Capitol, keep more people from entering the Capitol, and expel the crowd that was inside the Capitol. Multiple MPD officers and other law

enforcement officers came to assist.

12. 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 United States Capitol building without authority to be there.

#### **STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE**

13. SUAREZ is a probationary corrections officer at Monmouth County Corrections Facility (the “MCCF”).

14. On or about January 12, 2021, FBI Newark Joint Terrorism Task Force (“JTTF”) received information concerning SUAREZ’S alleged participation in the Capitol Protest from the Monmouth County Sheriff’s Office (the “MCSO”). Specifically, the MCSO informed the FBI that the Union Beach Police Department received a report from a witness (“W1”) about SUAREZ’S activities during the attack on the Capitol, including several video clips filmed by SUAREZ.<sup>1</sup>

15. Subsequent investigation by law enforcement revealed that on Wednesday, January 6, 2021, SUAREZ was scheduled to work at the MCCF, but she used an emergency holiday and thus was absent from work.

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<sup>1</sup> These video clips were shared by SUAREZ with W1. W1 was personally known to SUAREZ and maintained a relationship with SUAREZ for several years. Recently, the relationship between SUAREZ and W1 became strained but the two still communicated.

16. Based on information in the database compiled by the New Jersey Motor Vehicle Commission, law enforcement confirmed SUAREZ is the lessee of a silver 2019 Jeep Wrangler, bearing license plate [REDACTED] (the "Subject Vehicle"). Subject Vehicle is also registered to SUAREZ.

17. Law enforcement further checked law enforcement databases, which showed the license plate of the Subject Vehicle was recorded traveling a route consistent with travel between the area in which Subject resides and works and the Washington D.C. area on January 6, 2021. Specifically:

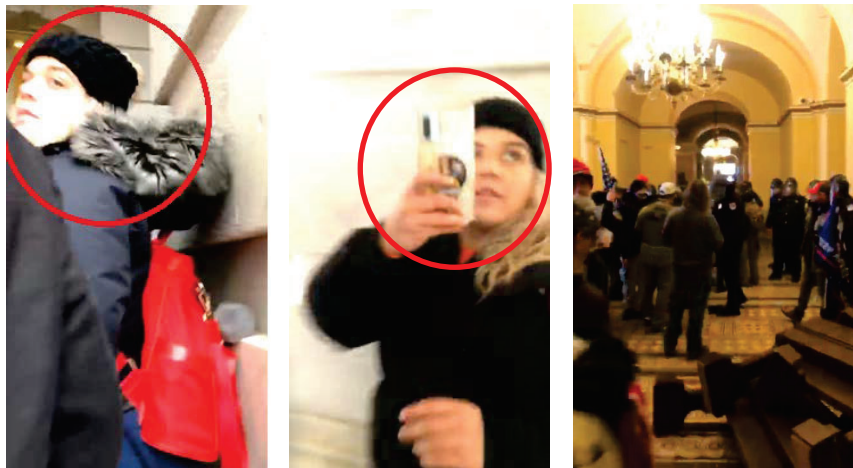
a. The Subject Vehicle license plate was recorded crossing the Delaware Memorial Bridge leading from the New Jersey Turnpike onto Interstate 95 in Delaware on January 6, 2021 at approximately 6:20 a.m.

b. The Subject Vehicle license plate was also recorded traveling along Interstate 95 southbound through Maryland on the morning of January 6, and northbound along the same route in the evening hours of January 6, 2021.

c. The Subject Vehicle license was further recorded as it passed northbound over the same bridge from Interstate 95 in Delaware onto the New Jersey Turnpike at approximately 8:45 p.m. that same day.

18. Videos submitted to law enforcement by W1, depict various moments from the attack on the Capitol. Nearly all the videos were taken while the camera was moving and being held at or near the height of the heads of others in the crowd, consistent with the manner in which cellular telephones are commonly used to make video recordings or take photographs. While the videos do not show SUAREZ'S face (i.e., they are recorded from SUAREZ'S point of

view, at least one of the videos shows a woman later identified as TODISCO who appears to have traveled with SUAREZ to Washington, D.C. on January 6, 2021. Screenshots from this video, which appears to have been filmed at the Senate Wing door entrance in the Capitol are below, with a red circle around the screenshots with TODISCO. Additionally, a woman's voice can be heard on the videos commenting on the events captured. On several occasions, the woman's voice calls TODISCO by name. Both W1, as well as an MCSO lieutenant who trained SUAREZ and has spent numerous hours with her, have identified the woman's voice on the videos as belonging to SUAREZ.



19. The videos place SUAREZ and TODISCO at the Capitol Protest. Both women were present at the demonstrations outside of the U.S. Capitol building, as well as inside the Capitol building once the crowd had forced its way inside.

20. For example, in one of the videos, filmed outside the Capitol building, the crowd is seen forcing its way into the building. SUAREZ can be heard saying “oh Trish, oh shit, oh shit, yo, this is what they fucking wanted, this is what they fucking wanted, this is what they get.” (Your affiant believes “Trish” likely refers to TODISCO, whose first name is Patricia.)























