

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer with the Federal Bureau of Investigation's (FBI), Joint Terrorism Task Force. As a Task Force Officer, I investigate matters related to Domestic or International Terrorism. Additionally, my squad is a reactive threat response unit which involves investigating active threats and coordinating the investigative efforts of other federal, state, and local law enforcement officers. 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, detection, 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 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.

Identification of Jason James Howland

Following the riot at the U.S. Capitol on January 6, 2021, the FBI received multiple tips that identified HOWLAND as being among the rioters who entered the U.S. Capitol building.

After the January 6, 2021 riot that occurred at the U.S. Capitol, photos of individuals who were present on the grounds of the U.S. Capitol, as well as inside the Capitol building, were made publicly available. Numerous publicly available videos from sources such as Parler, YouTube, Twitter, and news sources contain videos of HOWLAND inside and outside of the United States Capitol on January 6, 2021. On or about January 17, 2021, the Twitter page of @MichiganTea posted the following photo of HOWLAND inside of the Crypt of the U.S. Capitol:

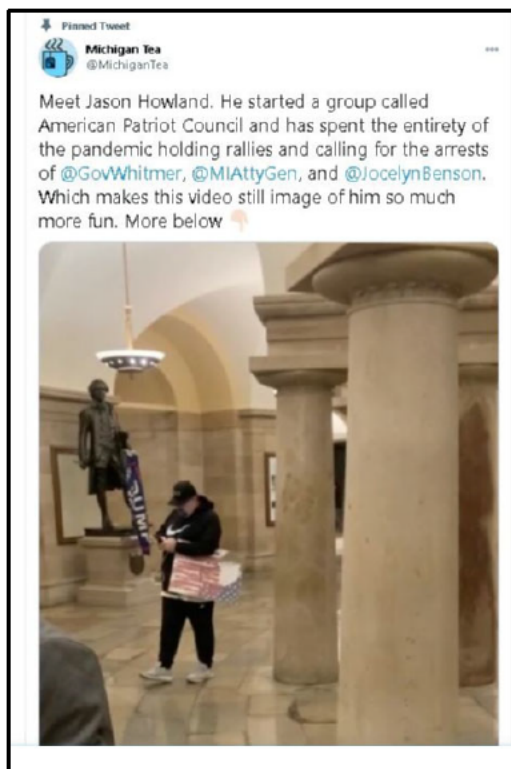


Figure 1: @MichiganTea tweet showing HOWLAND inside the U.S. Capitol

Also located on Twitter (@BGOnTheScene) was a post of a video that was captured on or before December 23, 2020, where HOWLAND was standing on the steps of the Michigan Capitol with a microphone wearing what appears to be the same black Nike hoodie and black baseball-style hat with the letters “TAT” embroidered on it that he wore while he was inside the U.S. Capitol on January 6, 2021.



Figure 2: @BGOnTheScene tweet showing HOWLAND on or about December 23, 2020

On or about July 13, 2021, an FBI task force officer investigating HOWLAND’s conduct at the U.S. Capitol presented a still photograph taken from a video of HOWLAND inside of the U.S. Capitol on January 6, 2021, to an FBI assistant special agent in charge (ASAC) who positively identified HOWLAND as the individual in the photograph. As shown in the image below, the ASAC circled HOWLAND in the photograph and wrote “Jason Howland 7/13/21 Black Hat” in the margin of the photograph. The ASAC was familiar with HOWLAND’s appearance, having met with HOWLAND in the summer of 2020 when HOWLAND requested a meeting with federal law enforcement officials to seek an arrest warrant for the Michigan Governor, Attorney General, and Secretary of State.

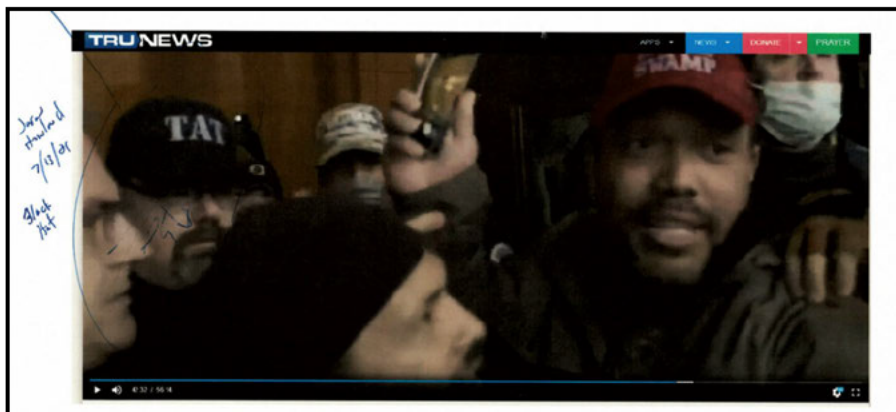


Figure 3: Photograph of HOWLAND shown to FBI ASAC on July 13, 2021, for Identification

Howland's Statements Prior to January 6, 2021

In an April 21, 2022 deposition with the U.S. House of Representatives Select Committee to Investigate the January 6th Attack on the U.S. Capitol, an associate of HOWLAND's named Ryan Kelley testified that he and HOWLAND founded a Michigan-based group called the American Patriot Council in May or June 2020. A review of a YouTube channel @americanpatriotcouncil1263, which uses the channel name "American Patriot Council," appears to show several videos featuring HOWLAND and Kelley.

In a video posted on December 3, 2020, titled "BAMBOOZLED: Treason. The Plot Thickens," shown in the screenshot below, HOWLAND and Kelley talk about the 2020 presidential election. From review of that video, at approximately 3 minutes and 40 seconds, HOWLAND states that there are "conspiracy theories" that "Joe Biden is going to be our president, that Trump lost the election." HOWLAND goes on to state that "we didn't lose, I'm here to encourage you, we didn't lose, the president has a plan, we don't know if we know what it is, we're starting to see some things, we made some uh I don't know if they're predictions in the past that came true, we knew Joe Biden was going to pretend to be the president and here we are."

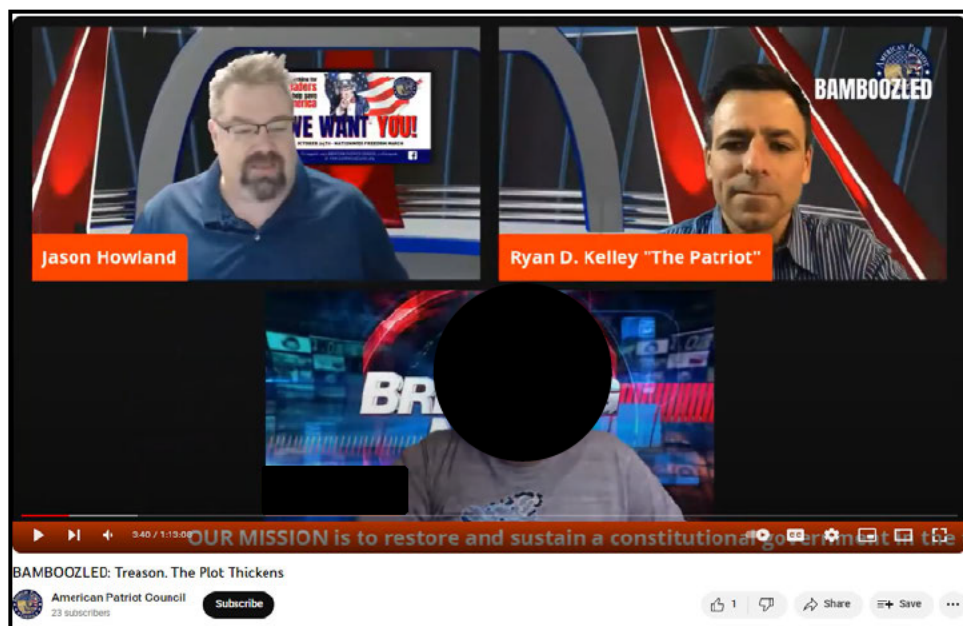


Figure 4: Screenshot from American Patriot Council YouTube Video

Later in the video, at 57 minutes and 10 seconds, as shown in the screenshot below, HOWLAND appears to share his computer screen and displays the page of a Twitter account named "The office of Jason Howland," with the handle @Jason_Howland. Other statements by HOWLAND in the video indicate that, at least as of December 3, 2020, he controlled the Twitter account @Jason_Howland.

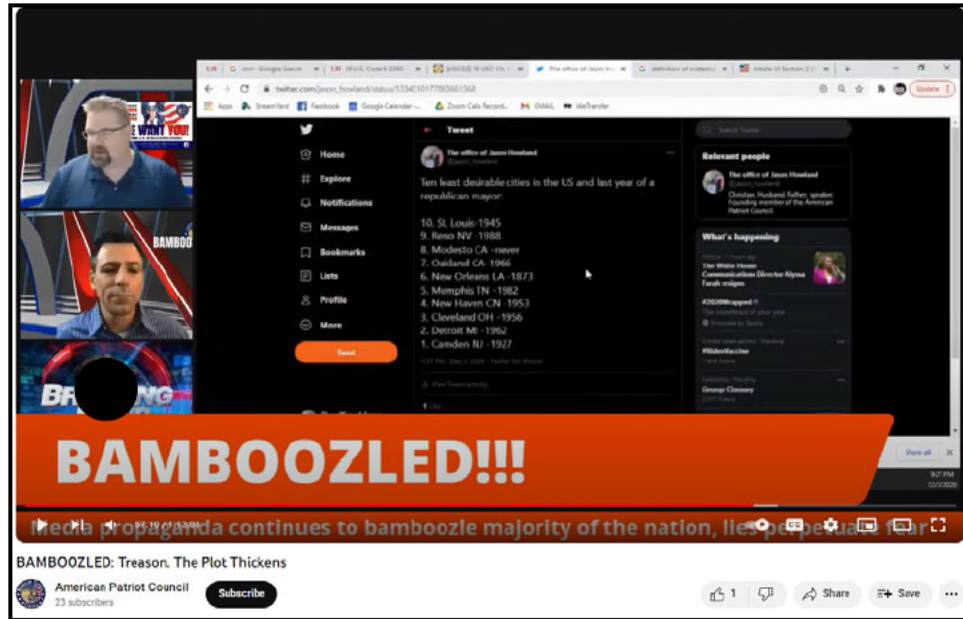


Figure 5: Screenshot from American Patriot Council YouTube Video

A review of the X profile (formerly Twitter) for the username @Jason_Howland on November 15, 2023, showed that the account joined in February 2021 and, based on the current content, does not appear to be the same account controlled by HOWLAND in December 2020. Based on the review of the current version of the @Jason_Howland X account, it appears that the @Jason_Howland Twitter account shown in the American Patriot Council December 3, 2020 video became inactive on or before February 2021. However, a search using the Internet Archive's Wayback Machine for the Twitter page of @Jason_Howland returned multiple tweets from December 2020 and January 2021, which are no longer available on the X platform. The December 2020 and January 2021 tweets retrieved using the Wayback Machine contain content that appears to match the Twitter page that HOWLAND displayed in the December 3, 2020 YouTube video. For example, the Wayback Machine posts and the December 3, 2020 @Jason_Howland Twitter page both use the name "The office of Jason Howland," contain the description "Christian, Husband, Father, speaker, Founding member of the American Patriot Council," and display the same profile picture which appears to show HOWLAND standing behind a podium with a "Stop the Steal" sign attached. In addition, the @Jason_Howland tweets retrieved using the Wayback Machine included tweets that HOWLAND displayed and discussed during the December 3, 2020 YouTube video referenced above.

Multiple posts and replies by @Jason_Howland retrieved using the Wayback Machine refer to the Electoral College certification that was scheduled to take place on January 6, 2021, during the joint session of Congress. Several of those posts and replies are included in the screenshots below.

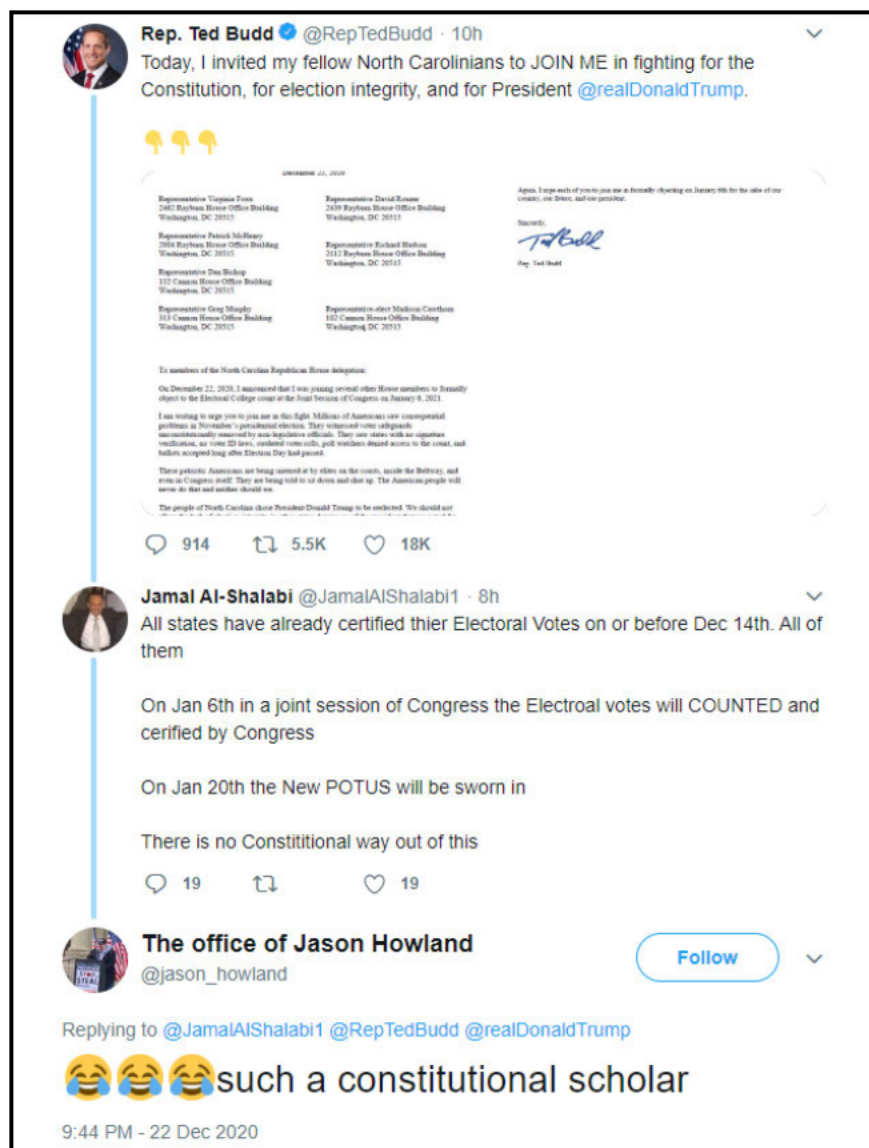


Figure 6: @Jason_Howland reply to tweet about the joint session of Congress scheduled to take place on January 6, 2021

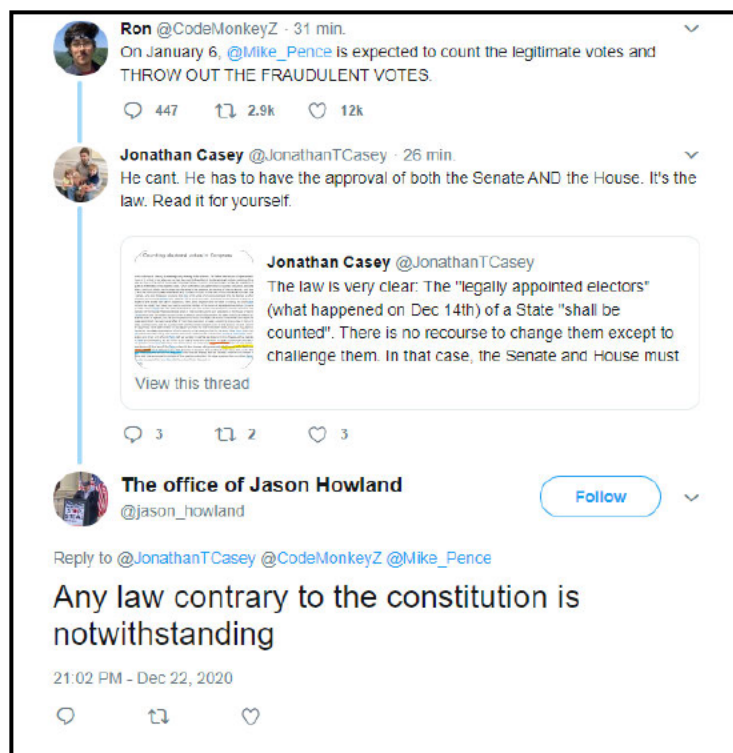


Figure 7: @Jason_Howland reply to tweet about Vice President Pence's role in the Electoral College certification process

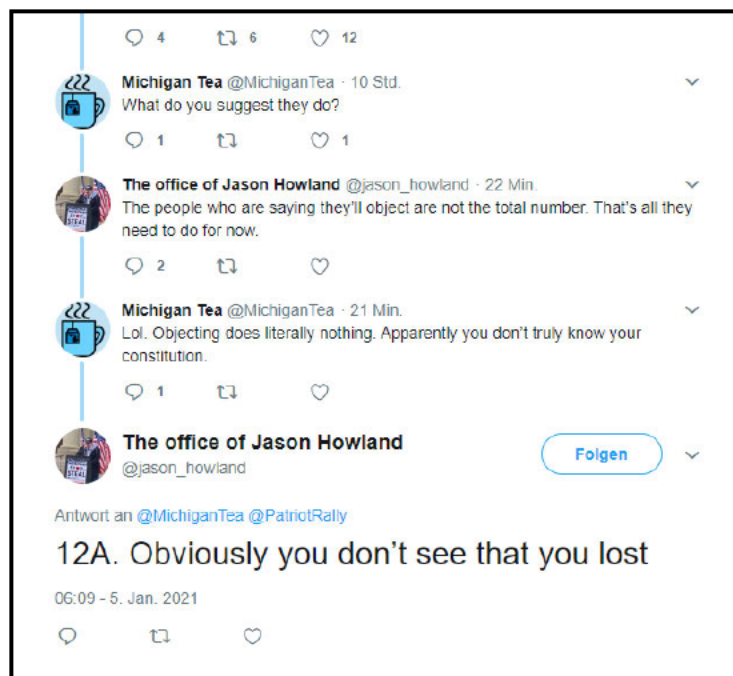


Figure 8: @Jason_Howland tweets referencing the Electoral College certification and the Twelfth Amendment to the U.S. Constitution

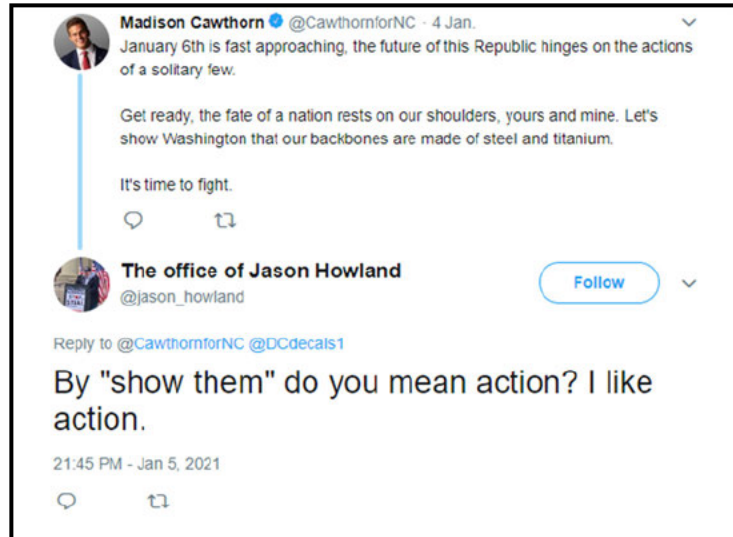


Figure 9: @Jason_Howland reply to a post related to the Electoral College certification

In other posts from December 2020 and January 2021, retrieved using the Wayback Machine, HOWLAND references his plan to travel to Washington, D.C. on or about January 6, 2021.

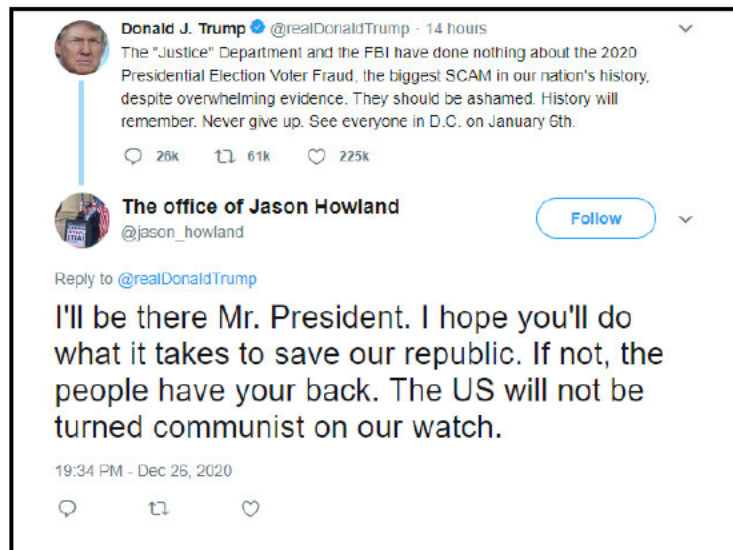


Figure 10: @Jason_Howland tweet related to January 6, 2021

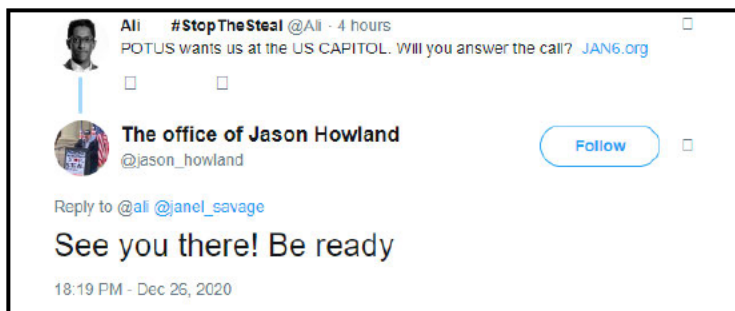


Figure 11: @Jason_Howland tweets related to January 6, 2021



Figure 12: @Jason_Howland tweets related to January 6, 2021

Howland's Conduct on January 6, 2021

In the screenshot below, taken from an open source video from ProPublica, HOWLAND is observed wearing a black baseball hat bearing the white letters “TAT,” a black hooded sweatshirt, and glasses. The video appears to have been taken near the scaffolding on the northwest side of the U.S. Capitol on January 6, 2021. HOWLAND is standing near a group of U.S. Capitol Police officers who are forming a line in front of the stairway under the scaffolding.

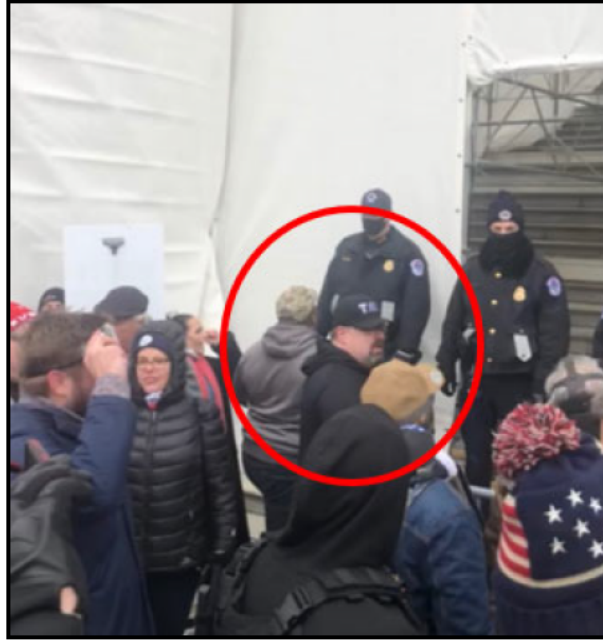


Figure 13: HOWLAND near the northwest scaffolding

In the screenshot below, taken from an open source video from YouTube, HOWLAND is again observed wearing the black baseball hat bearing the white lettering “TAT.” The video appears to have been taken near the scaffolding on the northwest side of the United States Capitol. HOWLAND is standing within a large crowd of rioters who officers are blocking from entering the stairs under the scaffolding which led to the Upper West Terrace.

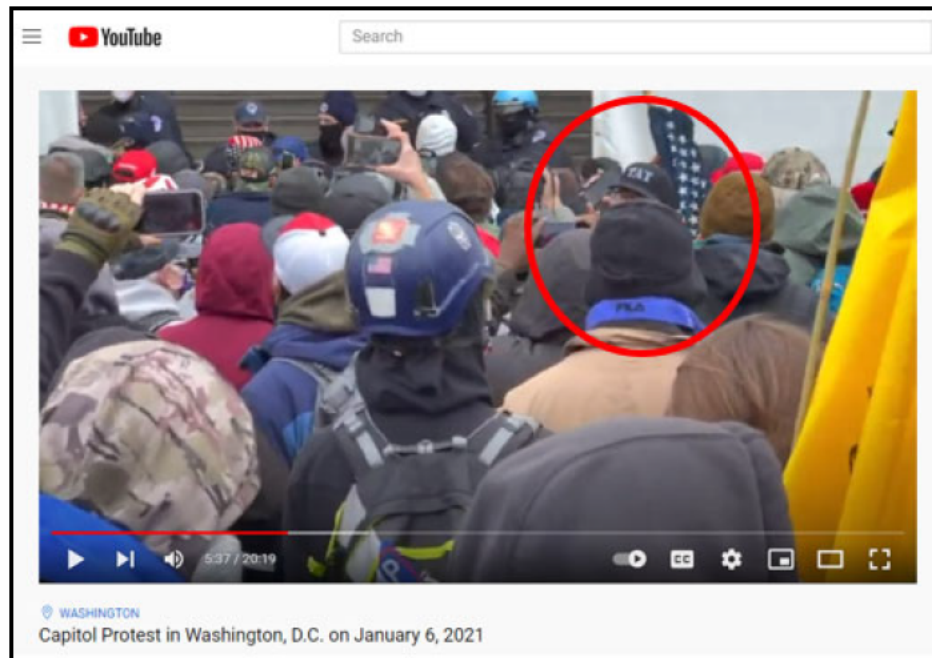


Figure 14: HOWLAND turning to yell “Let’s Go!” near the northwest scaffolding

At approximately 5 minutes and 37 seconds in the YouTube video referenced in the paragraph above, HOWLAND is observed turning to yell to the people behind him “Let’s Go!” As shown in the side-by-side screenshots below, immediately after yelling “Let’s Go!” HOWLAND twice waves his arm forward in the direction of the U.S. Capitol Police officers guarding the northwest scaffolding. The crowd immediately begins to push forward, overtaking the officers.



Figure 15: Side-by-side screenshots of HOWLAND waving in the direction of the officers

As shown in the screenshot below from the same YouTube video referenced in the two preceding paragraphs, after yelling “Let’s Go!” and twice waving in the direction of the officers, HOWLAND turns his head back to face in the direction of the officers. In the YouTube video, rioters are then seen assaulting multiple officers who were guarding the northwest scaffolding.



Figure 16: HOWLAND turning to face forward as rioters overrun the officers

In the below screenshot, taken from U.S. Capitol closed-circuit television (Capitol CCTV) of the Northwest Stairs, HOWLAND is observed at approximately 2:13:19 p.m. with a group of rioters moving up the stairs in the direction of the Upper West Terrace.



Figure 17: HOWLAND moving up the Northwest Stairs

In the below screenshot, HOWLAND is captured on Capitol CCTV entering the U.S. Capitol on January 6, 2021, at approximately 2:17:33 p.m. HOWLAND entered through the Senate Wing Door approximately five minutes after other rioters gained access to this area by breaking windows, climbing inside and subsequently opening the door from inside. HOWLAND proceeded from this area to the Capitol's Crypt. HOWLAND is seen wearing the same black baseball hat bearing the white letters "TAT," a black hooded sweatshirt with the white Nike "swoosh" symbol, a white undershirt, black pants, and white shoes. HOWLAND is also seen carrying a sign that appears to be a representation of the American Flag with an image of an eagle and writing superimposed over it.



Figure 18: HOWLAND entering the U.S. Capitol through the Senate Wing Door

HOWLAND is then observed inside of the Capitol on CCTV footage. He enters the Capitol's Crypt at approximately 2:18:44 p.m. He remains in the area of the Crypt until approximately 2:26:49 p.m. During his time there, HOWLAND is observed on camera using his cellular telephone and carrying the sign. HOWLAND eventually moves to the area of the Memorial Door, which is south of the Crypt.



Figure 19: HOWLAND inside the Crypt

HOWLAND then enters the Memorial Door area at approximately 2:27:27 p.m. and remains in that area until approximately 2:29:05 p.m. HOWLAND then moves south in the direction of the House Wing Door, and at times is not visible on camera.

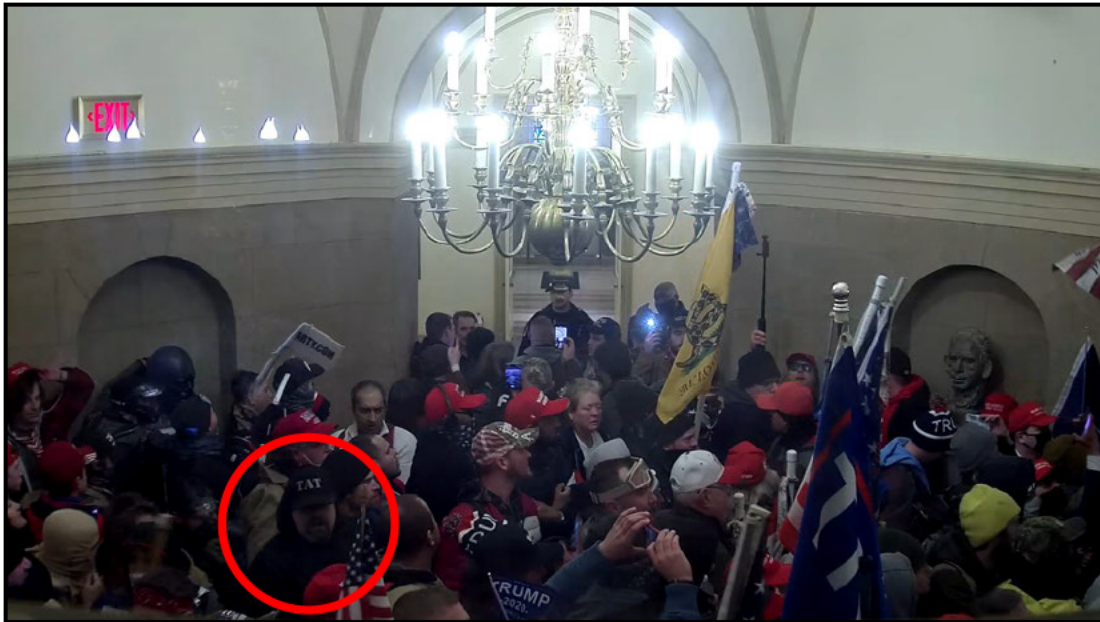


Figure 20: HOWLAND in the area of the Memorial Door

HOWLAND returns to the Memorial Door area at approximately 2:32:34 p.m. and remains in that area until approximately 2:34:06 p.m. HOWLAND again appears to use a cellular phone and carry the sign.

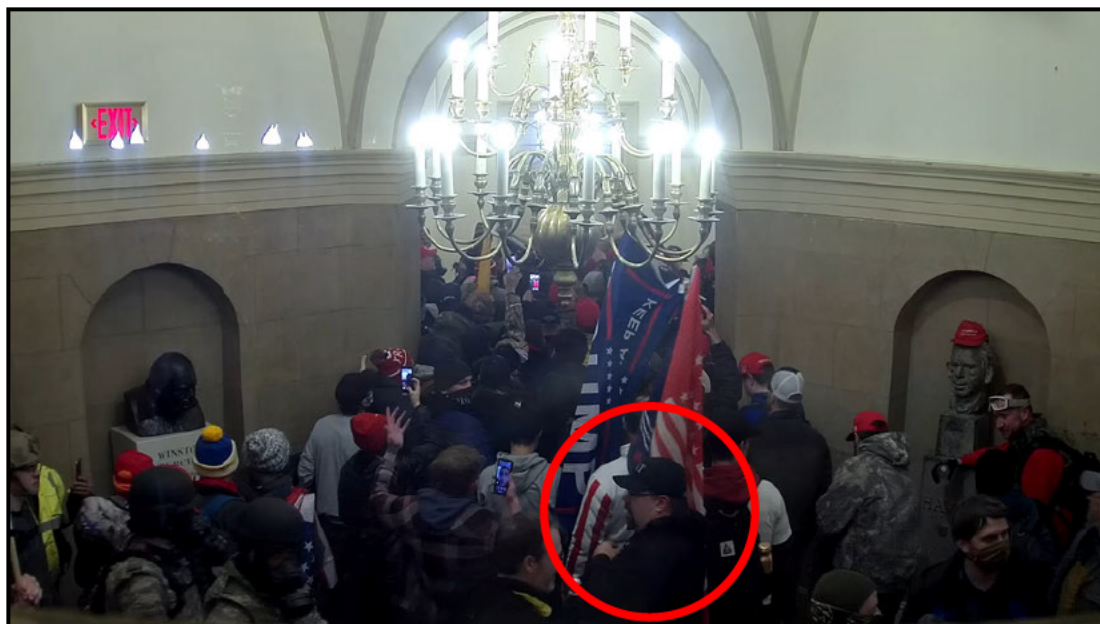


Figure 21: HOWLAND returns to the area of the Memorial Door

From the Memorial Door area, HOWLAND returns to the Crypt at approximately 2:34:06 p.m. At approximately 2:35:26 p.m., HOWLAND is observed inside the Crypt. While inside the Crypt, HOWLAND again appears to be using his cellular phone and is still holding the sign.



Figure 22: HOWLAND after returning to the Crypt

HOWLAND then enters the Crypt Lobby at approximately 2:36:51 p.m. HOWLAND remains in the area, appearing to use his cellular phone, at times out of the view of the camera, until approximately 2:38:19 p.m. when he returns to the Crypt.

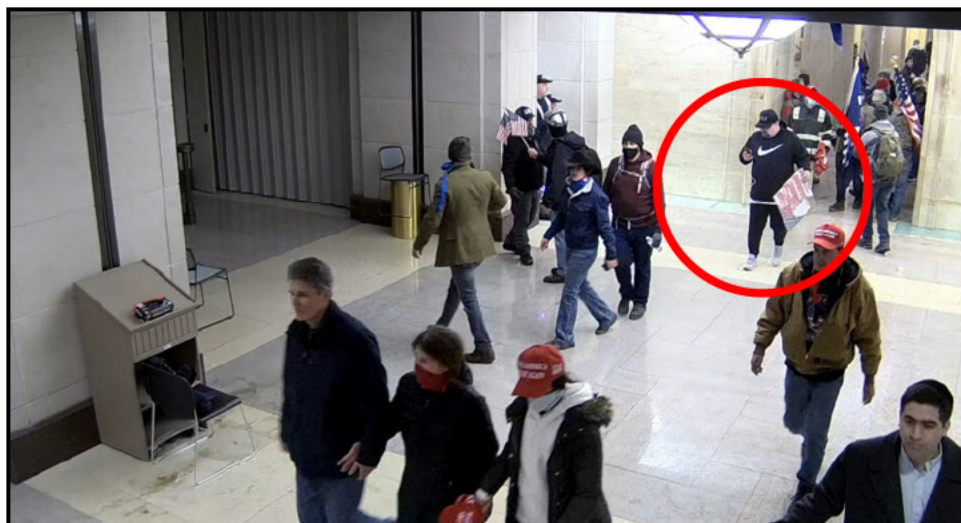


Figure 23: HOWLAND in the area of the Crypt Lobby

HOWLAND reenters the Crypt Lobby at approximately 2:40:07 p.m. and eventually moves in the direction of a hallway to the south of the Crypt Lobby at approximately 2:40:26 p.m.



Figure 24: HOWLAND after returning to the area of the Crypt Lobby

HOWLAND enters the Capitol Rotunda from the north at approximately 2:51:08 p.m. HOWLAND remains in the Rotunda until approximately 2:52:31 p.m., when he enters the East Foyer. HOWLAND enters the Rotunda again at 2:53:51 p.m. and remains there until he returns to the East Foyer area at 3:06:23 p.m.

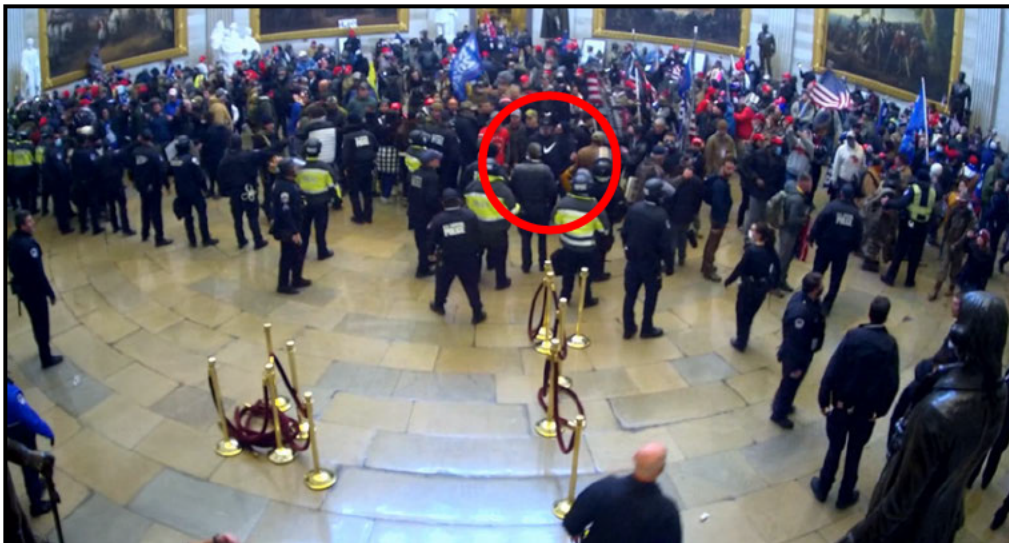


Figure 25: HOWLAND near a police line in the Rotunda

While HOWLAND is in the Rotunda, he is observed on camera interacting with law enforcement officers who were attempting to clear rioters out of the Rotunda. At approximately 3:04:18 p.m., in the Washington, D.C. Metropolitan Police Department (MPD) body-worn camera

footage shown below, HOWLAND approaches the line of police officers who are attempting to clear rioters out of the Rotunda. An officer appears to direct HOWLAND toward an exit.



Figure 26: HOWLAND approaching police in the Rotunda

At approximately 3:04:29 p.m., in other MPD body-worn camera footage shown in the screenshot below, HOWLAND approaches other officers who were standing further down the line of police officers who are attempting to clear rioters out of the Rotunda.



Figure 27: HOWLAND again approaching police in the Rotunda

HOWLAND exits the Rotunda and goes back to the East Foyer at 3:06:23 p.m. There, he interacts with law enforcement officers, as shown in the screenshot of Capitol CCTV below. While

HOWLAND is interacting with the officers, another rioter appears to briefly restrain HOWLAND (see figure 29).

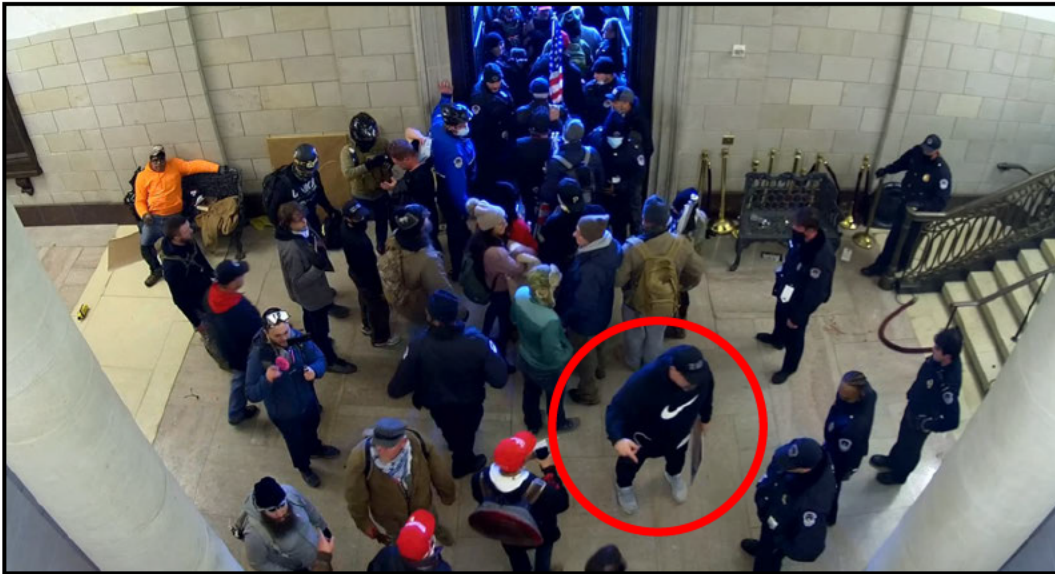


Figure 28: HOWLAND approaching police near the Rotunda Doors

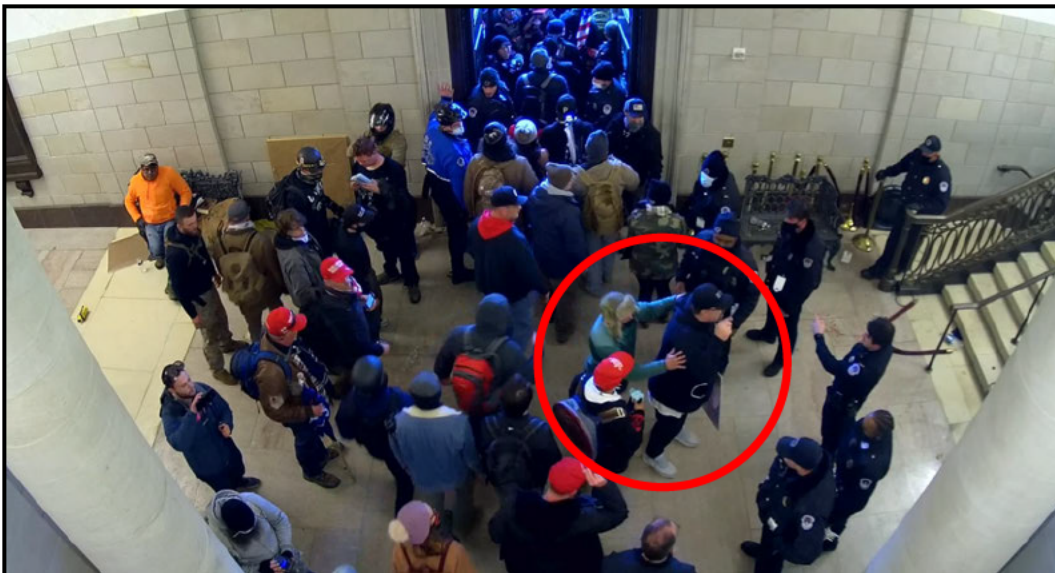


Figure 29: HOWLAND approaching police near the Rotunda Doors

In video captured by another rioter, shown in the screenshot below, HOWLAND is seen standing to the side of a stairway located near the Rotunda Door area. In that video, there are alarms sounding in the background. HOWLAND is observed using his cellular phone in the video.



Figure 30: HOWLAND in the area of the Rotunda Doors

HOWLAND remains in the East Foyer until 3:17:10 p.m. when he exits the Capitol through the Rotunda Doors.

Even after leaving the U.S. Capitol building, HOWLAND remained on U.S. Capitol grounds. In open source video, shown in the screenshot below, HOWLAND is seen on the East Front of the U.S. Capitol yelling at police officers who were arriving in response to the riot.

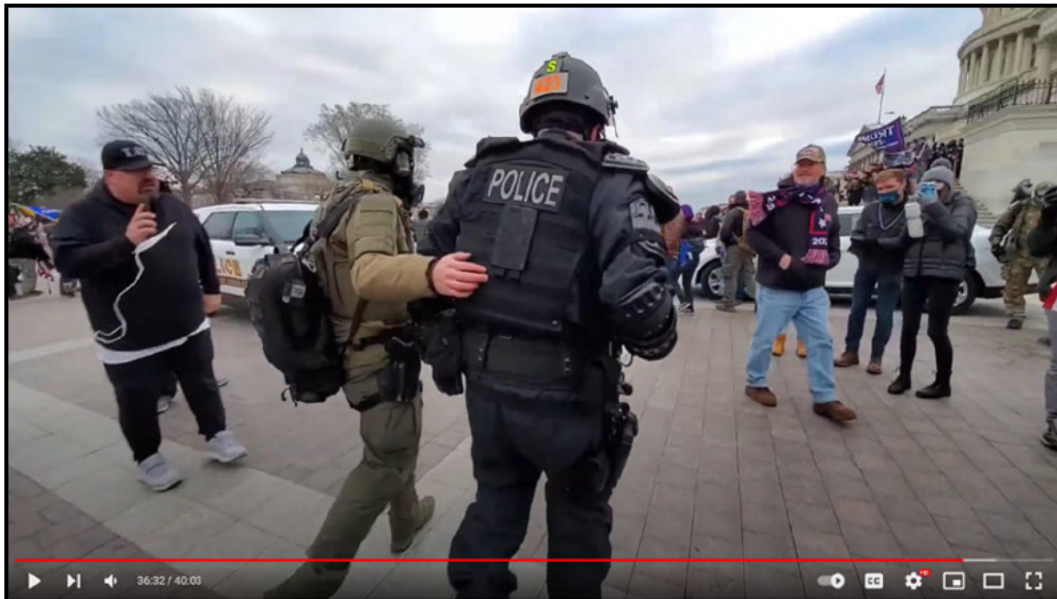


Figure 31: HOWLAND yelling at police on the East Front

According to records obtained through a search warrant which was served on Verizon Wireless, on January 6, 2021, in and around the time of the incident, the cellphone associated with XXX-XXX-2504 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.

Howland's Statements About the Capitol Riot

A review of the Wayback Machine search results for @Jason_Howland returned multiple tweets that relate to the riot at the U.S. Capitol on January 6, 2021. Screenshots of two such posts are shown below.



Figure 32: @Jason_Howland tweet related to riot at the U.S. Capitol



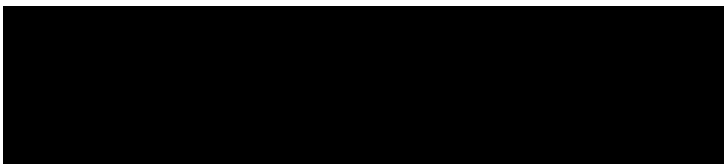
Figure 33: @Jason_Howland tweet related to riot at the U.S. Capitol

Offenses Committed by Jason Howland

Based on the foregoing, your affiant submits that there is probable cause to believe that JASON HOWLAND 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 so; 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 JASON HOWLAND 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.

Finally, your affiant submits there is probable cause to believe that JASON HOWLAND violated 18 U.S.C. § 1512(c)(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.



TASK FORCE OFFICER
FEDERAL BUREAU OF
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 23 day of January, 2024.

MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE