



Department of Justice

UNITED STATES DEPARTMENT OF JUSTICE PRESS CONFERENCE

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PARTICIPANTS

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PRESENTATION

Operator

Good afternoon, and welcome to the DOJ press call. All participants will be in listen-only mode. Should you need assistance, please signal a conference specialist by pressing the star key followed by zero. After today's presentation, there will be an opportunity to ask questions. To ask a question, you may press star then one on your touchtone phone. To withdraw your question, you may press star then two. Please note this event is being recorded.

I would now like to turn the conference over to Marc Raimondi. Please go ahead.

Marc Raimondi

Thank you, Ellie (PH), and welcome, everybody. Today we're going to have two speakers. We're going to have acting U.S. Attorney Mike Sherwin, and we're going to have the FBI Washington Field Office Assistant Director in Charge Steven D'Antuono.

This is on the record. You are welcome to live tweet. You can use it for broadcast. And we're going to have brief introductions, and then we'll have time for a few questions, and I think that's about it.

Without further ado, I'm going to turn it over to Steve D'Antuono.

Steven D'Antuono

Good afternoon, everyone. I'm Steven D'Antuono, Assistant Director in Charge of the FBI's Washington Field Office. I'm grateful for the opportunity to provide an update on our progress into the investigation of the January 6th breach and insurrection at the U.S. Capitol. Since the events of that day, the FBI's been working day and night to find answers to the questions the American

people deserve to know, including how the attack happened, who was responsible for the siege, and what we are doing in this investigation, now that we are almost 3 weeks into this case.

You've all seen the wanted posters we've been plastering everywhere from digital billboards on America's highways to bus shelters in D.C. to your social media feed. But we wanted to tell you what you haven't seen. Behind the walls of every FBI field office throughout the country are scores of dedicated agents, analysts, and other specialized personnel who are working with our law enforcement partners. They are chasing down leads, reviewing evidence, combing through digital media to identify, charge, and arrest anyone who was behind the siege we all saw on the 6th.

Now, one question being asked is, who are we looking for? Not only are we focused on finding those who breached the Capitol, damaged the building or stole government property, but we are also looking to find those who violently assaulted the law enforcement officers who were trying to protect the Capitol and prevent the disruption of our democratic process.

As part of this investigation, we are also continuing to try to identify and arrest the person or persons responsible for placing pipe bombs outside the offices of the Democratic and Republican National Committees. Together with ATF, we are offering a \$75,000 reward for information leading to the identification, arrest, and prosecution of the perpetrator or perpetrators.

As you can imagine, this is an enormous endeavor. But let me assure you we are up to the task. This case is challenging, it is complex, and it is big, both in size and scope. But at the FBI, we do big, we do challenging, and we do complex. We've been here before. The FBI and the Washington Field Office in particular has led major complex investigations, including the terrorist attack on the Pentagon on 9/11, the D.C. sniper case, and the Navy Yard shooting, to name just a few.

However, this case is unique in its magnitude and the number of subjects. My pledge to everyone, anyone listening to this, is that the FBI will carry out the investigative process with rigor and due diligence, following the facts and following the evidence wherever it takes us. We are in lockstep with our partners at the D.C. U.S. Attorney's Office and our other law enforcement partners here and around the country.

I want to stress that we have had and continue to have another enormously powerful partner in this case, and that is the American people. Spurred by the public outrage and disgust at what occurred on January 6th, we have seen an outpouring of tips and information from citizens around the country that has been nothing short of remarkable. To date, we have received more than 200,000 digital media tips from the public alone.

Some of you have recognized that this was such an egregious incident that you have turned in your own friends and family members. We know that those decisions are often painful, but you picked up the phone because it was the right thing to do. We are grateful you made that choice. America is grateful you made that choice. I want to thank you all on behalf of the FBI and our law enforcement partners for your help.

With your assistance, we have identified more than 400 suspects in the breach of the Capitol and assault on law enforcement officers. Of those, the FBI has arrested approximately 135 to date, with

many more being identified and charged every day. We continue to seek the public's help in identifying additional perpetrators of these heinous acts. You can see photos of additional suspects and help us find them by viewing our, quote, seeking information posters at www.FBI.gov.

If you have tips, no matter how small, please call one 800-CALLFBI or submit tips online at tips.FBI.gov. What happened at the Capitol on January 6th has not occurred in over 200 years. We owe it to the American people to find out how and why it did. We are committed to seeing this through no matter how many people it takes, how many days it takes us, or the resources we'll get to--need to--to get it done. We'll get to the bottom of this. The American people and this country deserve no less. Thank you for your time today.

We'll now turn it over to Mike Sherwin.

Mike Sherwin

Hi, everyone. Thanks, Steve. Mike Sherwin here at the U.S. Attorney's Office in D.C. I'll try to address some of the things that Steve just went over; then we can answer some of your questions here. Let's look at the numbers again, and we've talked about this before. Look, as we sit here right now, tomorrow is going to mark three weeks. Where are we in terms of the numbers?

One number Steve just mentioned was we've got over--the Bureau has opened over 400 subject case files. Again, I just want to make sure that people understand what that means. When the Bureau opens a subject case file, that means there was all sources that were involved in opening those files. Some of those individuals were added to that list, those subject files, because of a tip, a hotline maybe to MPD, the FBI, ATF.

Sometimes the Bureau added the individual to that list of 400 plus given a family member, a colleague, someone else gave intelligence to the FBI or another law enforcement officer to add them. It's really all source that adds to this list that's growing by the hour. As we sit here right now, that list is growing.

But I want people to recognize that just because you're added to that list, sometimes individuals are added to that list and we don't even know the residence of that person, the full name of that person. I just want people to recognize and understand that just because you're added--we have 400 subject files, that doesn't mean we have PC to arrest everyone added to that list. And the Bureau, all of our law enforcement partners, are doing everything we can to ensure that list increases geometrically, which it does every single day.

Now, as related to that list, after you're added to that list, an agent will be assigned to that subject file, and then eventually a prosecutor that will develop probable cause. Off that we have charged over--we have charged over 150 federal cases today as we sit here. And we've charged over 50 Superior Court cases. Now, let's look at some of the information behind those cases.

As related to those federal cases as we explained a couple weeks ago, the initialed cases we charged were all done via a federal criminal complaint. And that's usually done, not indicted, done via complaint because they're quickly--you could quickly swear those out. You could fix, find, and charge someone and arrest them very quickly. And oftentimes with a federal complaint, especially

in the throes of, you know, the fog of war right after this incident happened, we try to look for the most easily provable case. And in most instances, those were misdemeanors.

A very common one we're using was the trespass misdemeanor, the 18 U.S.C. 1572. But as I cautioned and told everyone after the first several days, we mentioned that we would geometrically increase felonies we would be charging, and we have done that. To date, I believe almost all of the cases we have charged, the 150 plus, all involve significantly federal felonies; everywhere from five years of federal felonies related to civil disorder, all the way up to obstruction of justice or obstruction of government proceedings, which is a 20-year federal felony.

These are things we have been doing, and these are significant charges that have significant teeth. And we are continuing to build these--the evidence related to these charges. And the individuals that were charged via the federal criminal complaints will then be indicted in the very near future, to include this week. These cases are moving at a very rapid clip. And as we proceed from the event on the 6th, we're developing more and more intelligence, we're developing more and more evidence.

For example, in addition to those 150 federal cases that have been charged, to date we have combined, we have issued, and gotten more than 500 combined grand jury subpoenas and search warrants in these cases, which is a huge number. And again, all of this evidence we are collecting via subpoenas, via search warrants, via the tip line, these are all assisting us in building these more complex, complicated cases.

How are we allocating these cases? I guess you could put it in three different buckets of information. First of all, we're looking at individuals within the Capitol, which would be disruption of Congress and their official duties related to theft of property, theft of national security information, et cetera, and also assaults on police officers. We're also looking at individuals outside the Capitol, Capitol Building.

And in some instances, we have just charged misdemeanors, 1572s. Regardless of the level of criminal conduct, we're not selectively only targeting or trying to charge the most significant crime. If a crime was committed, we are charging you regardless if you were outside or inside the Capitol, to include misdemeanors. And I want to clarify, there is no manpower issue here. We have no issues with the court. These numbers are on a steep incline. And again, if the evidence is there to fit either a misdemeanor or a significant federal crime, you are being charged and you will be charged.

Again, there's no issue, there's no internal deliberations or confusion among any law enforcement partner--I want to make this clear--and no confusion among the U.S. Attorney's Office and the court system. Everyone is all in on these cases. The courts, for example, have devoted significant judicial resource to ensure every single warrant is signed, every single criminal complaint is issued, every single subpoena is issued, as well as all these tips being followed up by the FBI. Again, there is no manpower issue. If a crime was committed, we are going to track that person down and they will be charged.

As we get this effusion of evidence, looking back it's not only three weeks. You could see just by way of example some of the cases we just charged this weekend. For example, over the past couple days there are two cases, Straka and Grayson. These are cases in which you see effusion of different types of evidence. You see evidence based upon tip lines. You see evidence based upon video camera footage. There are thousands of hours of body worn camera footage, video footage. That takes time. That is not done overnight.

In order to properly charge, we have to do our jobs right, and it takes hundreds of hours, thousands of hours with agents and AUSAs to go through that camera footage. And you're seeing the fruits of that labor this weekend. You're seeing these more sophisticated and complex criminal affidavits, these arrest affidavits, that are effusion of the camera footage, the video footage from inside and outside the Capitol, tip lines, search warrant returns, which are leading to these more significant charges.

One of the more significant charges people are very familiar with is the sedition conspiracy. That's what we're trying to build towards with the FBI and other law enforcement partners. The case that explains that was the Crowl Watkins Caldwell case. That was of note because it shows militia groups actively involved in planning and breaching the Capitol.

Again in closing, I just want to add that we are focused on all of these crimes. We have had a renewed also interest--not renewed, but because of the fact that it's taken time to review the body worn camera footage, you will see a geometric increase in cases related to assaults on police officers. And I believe to date, we have had 30 to 40 cases just related, just initially related to assaults on police officers, both MPD and federal. That number is going to quickly increase.

And in closing here, in addition to those cases we've also--and I mentioned this before--have assigned prosecutors from the U.S. Attorney's Office to specifically look at assaults and violence that were targeting media members. And those are significant as well because, look, some of these individuals are using a defensive guise of First Amendment. There obviously were First Amendment protesters, but it's the height of hypocrisy. Again, some of these individuals that claimed that they were just First Amendment protesters targeted and directly attacked members of the media, and we take that very seriously. And we've devoted prosecutors to specifically look at that violence that was levied on the media members. Thank you.

Marc Raimondi

Okay, we'll open it for a few questions. Please go ahead, operator.

QUESTION AND ANSWER

Operator

We will now begin the question-and-answer session. To ask a question, you may press star then one on your touchtone phone. If you are using a speakerphone, please pick up your handset before pressing the keys. We do ask that you limit yourself to one question. To withdraw your question, please press star then two.

Our first question today will come from Pete Williams with NBC News.

Pete Williams

Thank you. Mr. Sherwin, do you and Mr. D'Antuono, do you have any idea yet what the universe of people is that came into the Capitol on the 6th during the riots? And is it your goal to identify them all? How close are you to finding out what the X--total X number is?

Steve D'Antuono

At present, we don't have the whole universe. There's a lot of video, there's a lot of evidence to still be poring through. I think there were some figures that are being thrown out there in the media, how many people entered the Capitol, but we don't have hard and fast figures on that. We are identifying everyone we possibly can that entered the Capitol or breached the Capitol.

And that's why as I mentioned in my opening statement, we want the public's help, we appreciate the public's help. We appreciate the American people's help in identifying everyone that we put on wanted posters. There's at least 19 or more wanted posters out there right now, wanted for information like seeking information posters. We're trying to identify everyone that's on those posters, and obviously we have 400 plus identified already. And we would like to identify everyone we possibly can.

Marc Raimondi

All right. Next question, please.

Operator

Our next question comes from Jake Gibson with Fox News.

Jake Gibson

Hey, thank you very much. First of all, do you have--have you identified yet, even if you're not going to release the name, have you identified who you are looking for in the case of the pipe bombs? And secondly, has Capitol police or sergeant at arms shared with you, with the FBI, any information about an investigation into any members or staff who may have helped rioters in the days leading up to the riot? Thank you.

Steven D'Antuono

All right. The first question I'll answer is the pipe bombs, it's an ongoing investigation. We still have the wanted poster out there with the ATF, asking for the public's assistance in identifying any and all information. It's a \$75,000 reward asking for any and all information leading to the identification of the pipe bomber or bombers that are--we have one picture and the identification of the shoes out there as well. It's still an ongoing investigation.

Marc Raimondi

All right, next question.

Operator

Our next question comes from Katie Benner with the New York Times.

Katie Benner

Thank you for the call, guys. Quickly, can you kind of describe the pace this investigation will take going forward to set our expectations for it, because we saw just a blistering number of cases come out? Will that start to slow or plateau? And also, you said you were looking at people outside of the Capitol now. Will we start seeing charges for things like incitement?

Mike Sherwin

Hi, Katie. Yeah, this is Mike Sherwin. I'll try to address all those questions. If I forget something, just chime back in. You're right, we are going to reach a period of a plateau as--you know, after the event unfolded on the 6th, we did a surge. The FBI and law enforcement partners did the surge, and social media absolutely helped where we picked off the Internet stars; you know, the rebel flag guy; you know, Camp Auschwitz; the individuals in Pelosi's office. You know, the easily identifiable individuals that we were able to quickly find and charge with misdemeanors. Then we tacked on federal felony charges.

We also charged several people outside the Capitol for trespass on the Capitol grounds, both inside and outside, and a smattering of assault cases and weapons cases. But you're right, we are going to reach a plateau, I think, in the very near future. And the plateau will involve at looking at the more complicated conspiracy cases related to possible coordination among militia groups, individuals from different states that had a plan to travel here before the 6th and engage in criminal conduct.

Steven D'Antuono

Yeah, and I'll throw in, too. There is a--you know, this is a long-term investigation. We obviously did surge a lot of resources, but we are continuing that surge with the FBI across the field offices and here in D.C. with our local partners as well to get to those answers, right? The long-term conspiracy answer, you know, who did this? Was there other--were there groups involved? Was there more planning involved? And that's what we're--that's going to be the longer-term investigation that we are conducting in conjunction with the U.S. Attorney's Office and Department of Justice.

Mike Sherwin

And just to add to that, and I tried to ping on it when I was speaking earlier, that look, we have to have the proper evidence to charge these and we're going to get it. But remember, we have to get some of this evidence--remember, all of these cases aren't based upon social media and Twitter and Instagram posts. We also have traditional law enforcement tools, and we need to use grand jury subpoena search warrants. And you don't get that overnight. And we're getting that now, and you're going to see the fruits of that labor in the cases we are charging this weekend through the next coming weeks.

Marc Raimondi

All right. Those of you taking notes, the first and third speaker was Mike Sherwin. The one in the middle was Steve D'Antuono. Next question, please.

Operator

Our next question comes from Mike Balsamo with the Associated Press.

Mike Balsamo

Thanks so much. Mike, I know you touched a little bit on the militia cases, but have you identified any cases where you believe sedition charges are warranted? And what is the status of the investigation into the death of Officer Brian Sicknick? Have you identified a suspect, and is the U.S. Attorney's Office planning to bring murder charges in that case?

Mike Sherwin

I'll address that briefly. Related to sedition, yes, we are closely looking at evidence related to the sedition charges. You know, that was the more significant. You know, it's the 18 U.S.C. 2384, which is significant. You're talking 20-year felonies. With enhancements, you're looking at significant time in federal prison. Yes, we are working on those cases, and I think the results will bear fruit very soon.

As related to the second portion of your question, we have devoted law enforcement. The Bureau, the U.S. Attorney's Office, have devoted specialized teams to look at both the death of Officer Sicknick and also the death of Babbitt who was killed in the Capitol as well, so--with excessive force investigation. We are looking at all these matters, and we can't comment on those grand jury investigations at this point, but we're hopeful we are going to be able to have results soon in those cases.

Marc Raimondi

Next question, please.

Operator

Our next question comes from Aruna Viswanatha with Wall Street Journal.

Aruna Viswanatha

Hi, thanks for doing this. I just wanted to ask in the course of this investigation, have you come across any specific intelligence yet about future threats in Washington or around the country? Or have you seen evidence that the events of January 6th have further radicalized individuals? And also just are there any changes in the course of the investigation with the new administration in place?

Steven D'Antuono

You kind of went quiet at the end there with your question, but I think I get the crux of your question as to--this is Steve D'Antuono. We're continuing to monitor, like we always have, all means of open source data and anything else we can get into with our CHSs, our sources around the country, to determine if there are any viable leads that we can follow in identifying any type of intelligence or information leading up to any violence here in the country, either here in D.C. or across the rest of the country.

We consistently share that with our partners through a JTTF structure, through our task force structure, and then through other means with the command staff of the respective agencies that we deal with, not only again here in D.C. but across the country. That is definitely something that we continue to do, and we always have done. And there is--obviously, you guys all see the open source

information out there, too. There's a lot of rhetoric, and we are trying to separate the aspirational versus the intentional. And that goes to analysis once we get into that information.

Mike Sherwin

Mike Sherwin. As related to the last part of your question, change in administration. Look, the criminal code is the same it is on the 26th of January that it was on January 6th. If the evidence is there, if we can identify someone, they are going to be charged regardless of who is in the White House.

Marc Raimondi

All right, I think we have time for a couple more questions. Next question, please.

Operator

Our next question comes from Evan Perez with CNN.

Evan Perez

Hi. I wanted to ask about the possibility that--if you're still looking at the people who organized the rally. There are a lot of obviously mainstream establishment organizations that were behind putting together the rally at the Ellipse. And some of the concern I've heard is that, you know, obviously similar to what you are doing could affect people's political speech. And I just wondered if you could address, you know, what do people have to worry about if they were involved in doing that stuff at the Ellipse, but didn't have anything to do per se with the insurrection inside the Capitol, going inside the Capitol that is?

Steven D'Antuono

We are looking at, in this investigation, at everyone that has criminal intent to commit a crime, a federal crime. And that's part of the investigation and that's what we're trying to get to as we collect facts and evidence like we always have. The facts and evidence lead us down the path to investigation and then obviously to the U.S. Attorney's Office and with our partners, in order to charge people with that--those criminal acts.

Marc Raimondi

All right, one more question, please.

Operator

Our next question comes from Pierre Thomas with ABC News.

Pierre Thomas

Gentlemen, thank you for your time today. I was wondering if you could speak a little bit more to what you can say about how dangerous the pipe bombs were, and the importance of getting the public's help in figuring out who planted those. And then secondarily, if you could just speak to whether you've identified any particular distinct groups that actually breached the Capitol that caused the floodgate to open?

Steven D'Antuono

The pipe bomb investigation is--obviously, it's an ongoing investigation. It's a top priority for us. We want to find, for the safety of the American people, and we need to find that pipe bomber or if there's bombers. Like I said, we have the wanted poster out there, \$75,000 for any information leading to the arrest of that individual or individuals. To answer your question about the pipe bomb, the components of the bomb made it a viable device.

Mike Sherwin

And just related to group affiliation, look, some of the individuals that were protesters, rioters, were affiliated with groups. Some weren't. Some were just, you know, operating in a vacuum. And look, just based upon what's out there, public record with charging documents that is in black and white in criminal complaints, we've charged individuals affiliated with the Proud Boys to the Three Percenters to the Oath Keepers. But again, that's not dispositive of who we are looking at. There are plenty of people, a balance of people probably in these instances, that were not affiliated with a group that we're looking at.

Steven D'Antuono

And that was Steve D'Antuono first and Mike Sherwin second.

Marc Raimondi

All right. Thank you, everybody. If you did not get your question answered, I apologize. Just email me, Marc Raimondi, Marc.Raimondi@USDOJ.gov, and I'll do my best to answer the question. Thank you very much. Operator, we're done.

Operator

The conference is now concluded. Thank you for attending today's presentation. You may now disconnect.