

## STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent assigned to the FBI's Washington Field Office, where I am a member of the Joint Terrorism Task Force. In my duties as a special agent, I currently focus on national security matters and counterterrorism investigations. Currently, I am tasked with investigating criminal activity in and around the 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.

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.

***Initial Identification of Hatchet M. SPEED (born Daniel Abraham Speed)***

SPEED is a Petty Officer First Class (E-6) in the United States Naval Reserves assigned to the Naval Warfare Space Field Activity located at the National Reconnaissance Office, a member of the U.S. intelligence community. SPEED was recently employed as a software developer and technical lead for Novetta Solutions LLC, in Vienna, Virginia, a cleared defense contractor that conducts advanced analytics for the U.S. Department of Defense (DoD) and numerous other federal agencies.

According to records obtained through legal process served on Verizon on or about March 23, 2021, the phone number x[REDACTED] is registered to SPEED. Pursuant to legal process, Google has produced subscriber information for the account [REDACTED]. This subscriber information reflects that the account is registered in SPEED's name. The birthday listed for the subscriber is SPEED's birthday. SPEED's phone number—xxx-xxx-[REDACTED]—is listed as the recovery SMS for the account. The recovery email for the account is [REDACTED].

A search warrant was served on Google for information in and around the time of the breach of the U.S. Capitol on January 6, 2021. According to records produced by Google, a mobile device associated with SPEED's phone number and e-mail address [REDACTED] was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a "maps display radius" of 10 meters to the location data point. Finally, Google reports that its "maps display radius" reflects the actual location of the covered device approximately 68% of the time.

In this case, Google location data shows that a device associated with [REDACTED] (associated with SPEED) was within the U.S. Capitol. Google records show that the "maps display radius" for this location data encompasses an area that is partially or entirely within the U.S. Capitol Building between 2:35 PM and 3:51 PM. In addition, as illustrated in the map below, the listed locations were entirely within areas of the U.S. Capitol Grounds which were restricted on January 6, 2021.

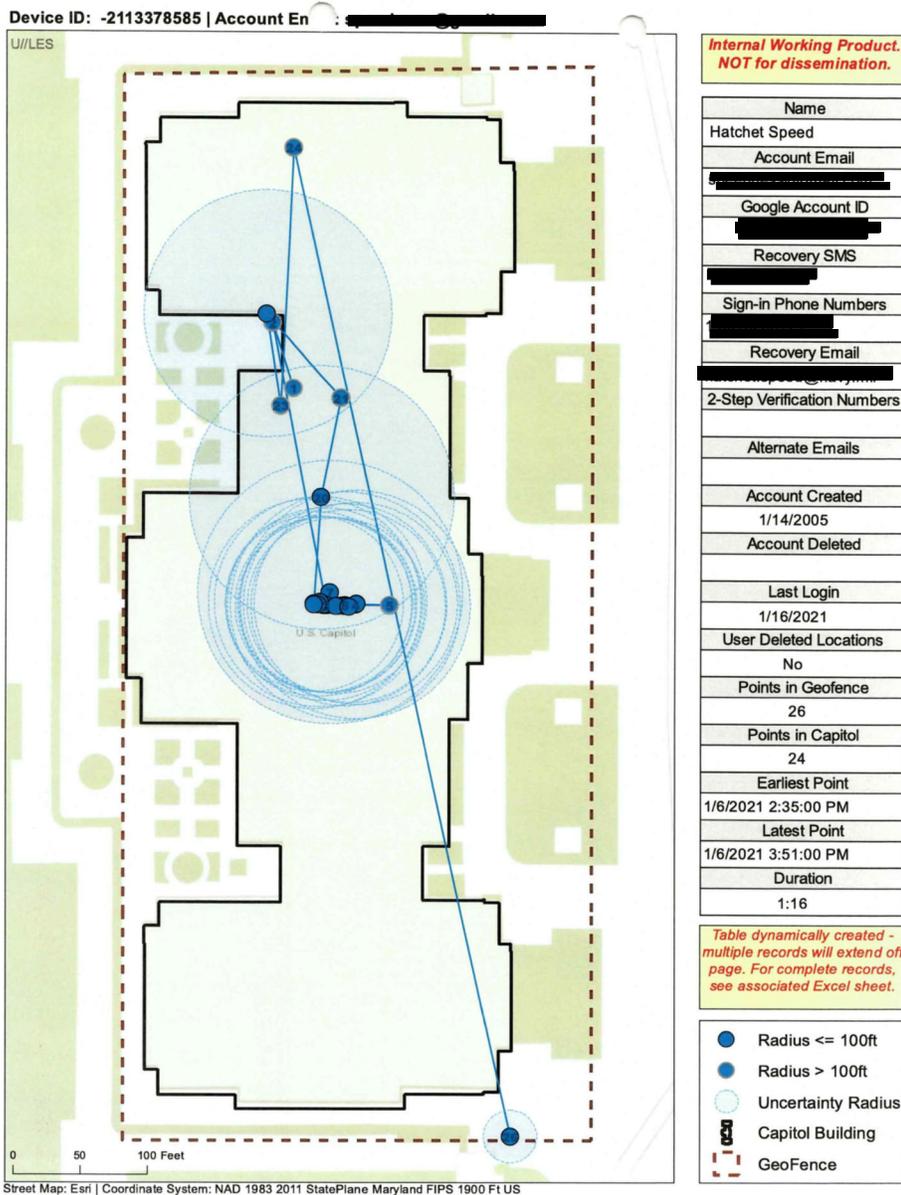


Figure 1

Law enforcement officers, to the best of their ability, have compiled a list (the “Exclusion List”) of any Identification Numbers, related devices, and information related to individuals who were authorized to be inside the U.S. Capitol during the events of January 6, 2021, described above. Such authorized individuals include: Congressional Members and Staffers, responding law enforcement agents and officers, Secret Service Protectees, otherwise authorized governmental employees, and responding medical staff. The mobile device associated with ██████████ is not on the Exclusion List. Accordingly, I believe that the individual possessing this device was not authorized to be within the U.S. Capitol Building on January 6, 2021.

***SPEED's Admissions to an Undercover Employee Concerning the Capitol Breach***

On March 15, 2022, SPEED met with an FBI undercover employee (UCE-1), who has presented to SPEED as a like-minded individual. During this meeting, SPEED admitted that he entered the U.S. Capitol on January 6, 2021, and that he “made it to the Rotunda down below.” SPEED told UCE-1 that going to the Capitol on January 6 “was always the plan.” He explained, “We would listen to Donald Trump then all of us would go to the Capitol. Now the reason we were going to the Capitol was to protest what was going on in the Capitol... what they were doing was counting the ballots.”

On March 22, 2022, SPEED met with UCE-1 again. During that meeting, SPEED provided further details about his activities at the U.S. Capitol on January 6, 2021. SPEED stated that he went to the Capitol on January 6 with friends who were members of the Proud Boys, with whom he keeps in contact.<sup>1</sup> SPEED blamed “Antifa” for breaking windows and entering off-limit areas of the Capitol, and he blamed the police for using tear gas in a manner to force the crowd into the off-limit areas.

SPEED also blamed Antifa for knocking down fencing around the Capitol. He described walking over fencing and worrying about tripping, but not knowing that he was trespassing at the time.

SPEED claimed that he and the others initially did not intend to enter the Capitol. He said that his plan was to be outside the Capitol and listen to speeches “for the 12 hours it would take to do the 2-hour rebuttal for each of the 6 contested states.” However, SPEED explained, “what the FBI did in advance is they arrested or threatened all the people they knew were going to be the speakers so that there would be no leadership. They wanted to make sure there was no one there...they wanted to maximize the possibility of violence.”

SPEED claimed that “they spent a good hour hitting us with tear gas, hitting us with rubber bullets and all kinds of things.” He said, “we still weren’t getting violent, because that’s not why we were there.”

SPEED further told UCE-1 that “there was this staircase leading up to the Senate side, where like we knew it was ‘off limits’ because that was, also the staircase was covered by the structure they’d set up the inauguration...and so, we were like we don’t need to go up there. We’re not here to go in the building. We’re just here to make a statement ‘we are here and we

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<sup>1</sup> Proud Boys are a self-described “Western Chauvinist” fraternal organization, some of whose members have committed violence against perceived adversaries at First Amendment-protected events in the United States. The Proud Boys are a national organization with many, largely autonomous U.S. chapters and some activity in other Western countries. The group has an initiation process for new members, who often wear yellow and black polo shirts or other apparel adorned with the Proud Boys logo to events.

are paying attention'...but, the ANTIFA kept sending people up the staircase and trying to get people to come and we're all like 'no, we're not going to follow you'..."

SPEED decided to go up the staircase because he was "tired of getting tear gassed." Once up the staircase, SPEED claimed he intended to stay outside the Capitol Building at "this huge portico porch thing which can hold a couple thousand people." However, SPEED said, he got tear gassed again. He also heard that Vice President Mike Pence had "validated" certain ballots they considered "invalid."

SPEED described Pence's act as a betrayal. SPEED stated that, at that point, he "was like, 'I'm going in there. Like I have no respect for people in this building. They have no respect for me. I have no respect for them.'" SPEED stated, "[S]o we all went in and we took control. Like, when you have that many thousands of people, like there's nothing the cops can do...it's impressive."

Asked how far he went in the building, SPEED said, "I went in a little ways. Not to anything important." He explained, "the reason we left, like we controlled the entire building. The Congress and Senate had evacuated through the tunnels so, nobody was there except us." SPEED further stated that they were told that "Nancy Pelosi ha[d] agreed to a 10 day delay of the vote and in the meantime there [would] be an investigation into the improprieties of the election." SPEED stated that, at that point, they agreed to leave because "[a]ll we wanted was for somebody to admit that this was not an honest election and look into it." SPEED lamented that the promise of a vote delay and investigation turned out to be a lie to get them out of the building.

SPEED explained that he had hoped that more and more people would have shown up, and "It should have gotten to the point where Nancy Pelosi should have resigned out of fear for her life. That's what should have happened." He also observed that "there are too many Americans that have this idea that we have to be peaceful all costs."

SPEED also described seeing a "a guy dressed up, as, like—like a sort of a Revolutionary-era . . . he looked like he could have just stepped off, you know, um, some ship, that was . . . greeting Washington or something."

### ***Video Footage of SPEED Inside the U.S. Capitol***

On January 23, 2022, FBI conducted surveillance of SPEED. It followed SPEED from his residence and took the following photographs of SPEED:



*Figure 2*



*Figure 3*

FBI reviewed footage from a video posted on the website DLive by Anthime Joseph Gionet, also known as “Baked Alaska” on social media platforms.<sup>2</sup> In this video, an individual resembling SPEED appears in the area near the Senate Wing Doors. Based on U.S. Capitol Police closed-circuit video (CCV) that corresponds to this footage, the image below (taken from the Baked Alaska footage) is from approximately 3:32 p.m.

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<sup>2</sup> Gionet has been charged with participating in the breach of the U.S. Capitol. See Information, *United States v. Gionet*, 22-cr-132 (EGS), ECF No. 57 (D.D.C. Apr. 19, 2022).



*Figure 4*

UCE-1 viewed the footage and confirmed with high confidence that the appearance of the individual circled in red above is consistent with SPEED's appearance, based on the following:

- a. Upper body build, especially a broad chest and shoulders.
- b. Posture. SPEED walks or stands with his shoulders back and chest out, like the person in the pictures.
- c. Thickness of neck.
- d. The style of shirt and boots worn in the video (is similar to the style of clothing that UCE-1 has observed SPEED wearing)
- e. The height of the individual depicted compared to others nearby resembles SPEED's -- approximately 6'1".
- f. Beard line.

SPEED told UCE-1 that he wore a mask to cover his face; the individual in the video appears to wear a mask during much of his time inside the Capitol.

In the video from which this image is derived, an individual dressed in an historical soldier costume is visible. As described above, SPEED recalled seeing an individual dressed like a "revolutionary era" soldier inside the Capitol.

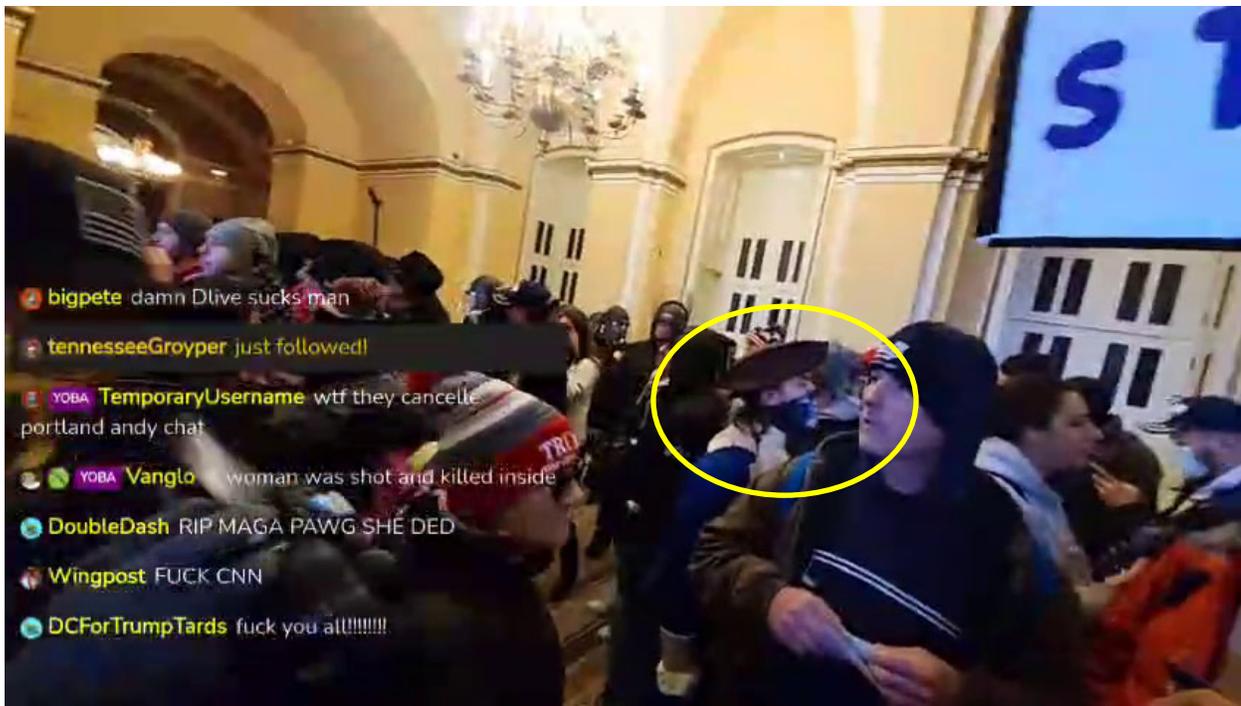


Figure 5

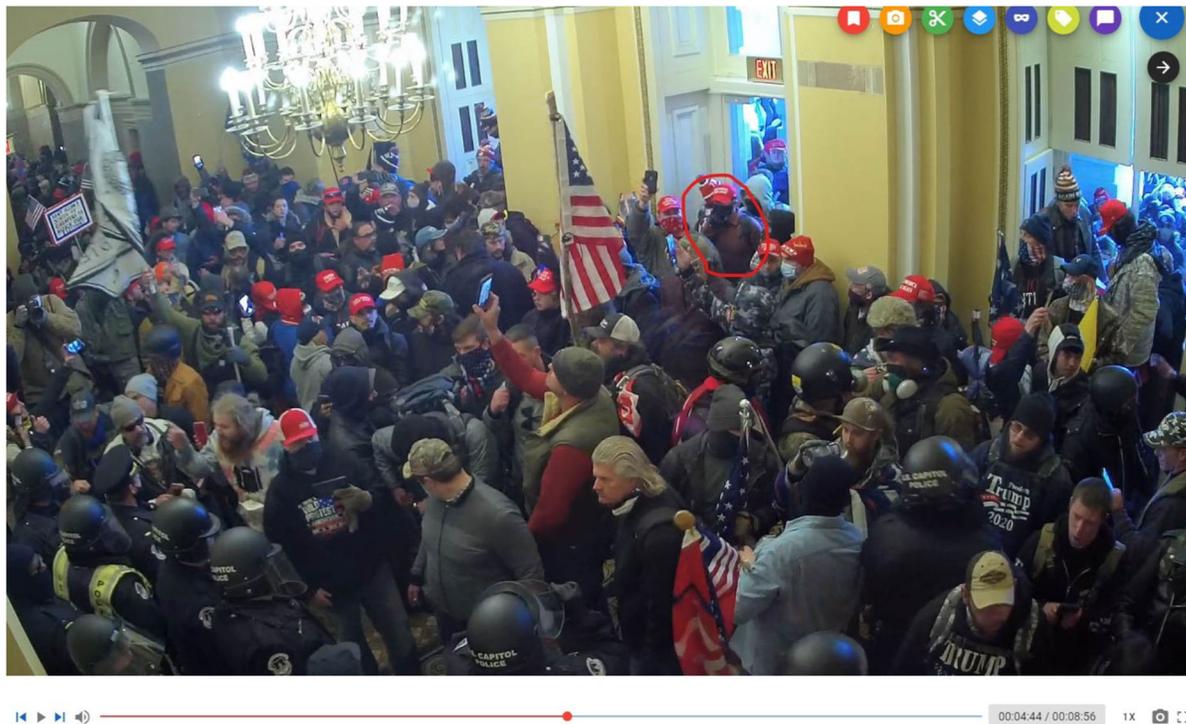
In the image below (from U.S. Capitol Police CCV), an individual who appears to resemble the individual circled in red above (believed to be SPEED) is in the same area of the Capitol. The timestamp on the screenshot below corresponds to UTC time, which is five hours ahead of EST; thus, the image below is from 3:31:43 p.m. EST.



Figure 6

SPEED's location near the Senate Wing Doors at 3:31 p.m. is consistent with the location of his mobile device reported by Google.

FBI located SPEED in U.S. Capitol Police CCV and was able to observe some of his movements throughout the Capitol. For instance, at approximately 2:51:52 p.m., SPEED entered the Capitol through the Senate Wing Doors:



*Figure 7*

This is consistent with the Google location data for SPEED's mobile device, which indicates that SPEED's device was within the Capitol Building by 3:07 p.m. SPEED is also visible on Capitol Police CCV footage in and near the Crypt, as in the below screenshot from 3:02:14 p.m.

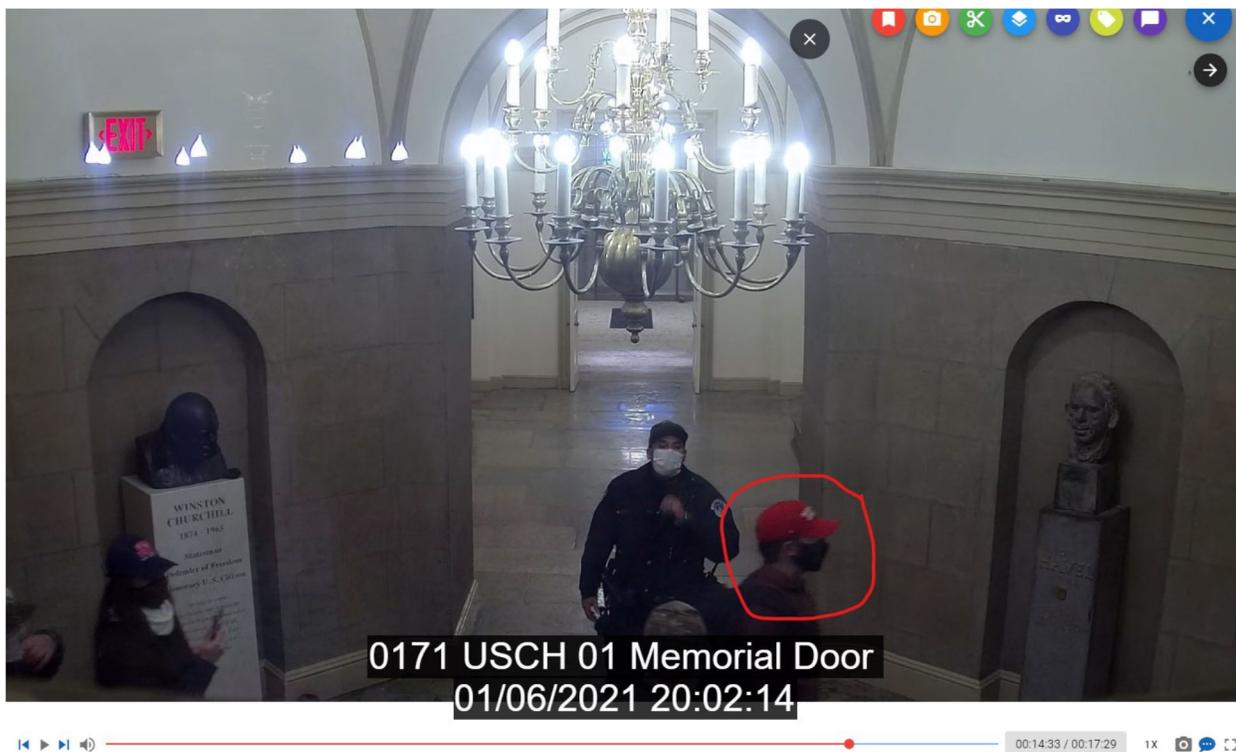


Figure 8

After spending just over 40 minutes inside the Capitol, SPEED exited through a window near the Senate Wing Doors at approximately 3:34:30 p.m., approximately 25 seconds after the below screenshot from U.S. Capitol Police CCV.

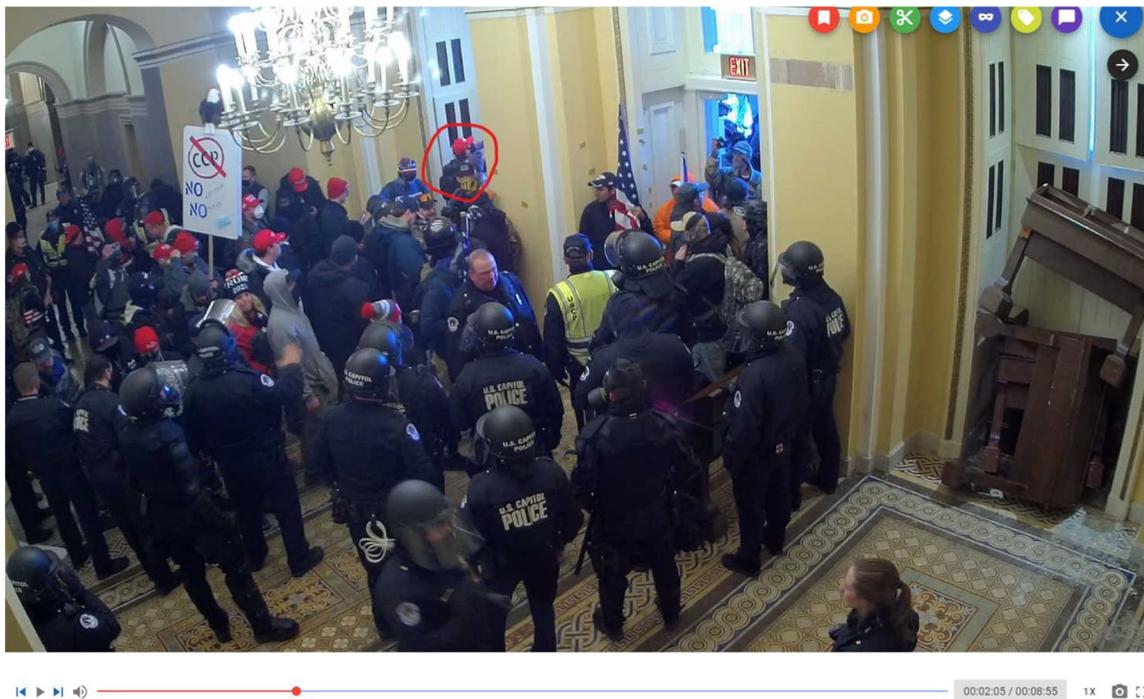


Figure 9

In response to legal process for purchases associated with SPEED and his email address [REDACTED] Amazon produced data indicating that he purchased a black Under Armour Sports face mask on December 3, 2020, resembling the mask he can be seen wearing inside the Capitol. Amazon data also indicates that SPEED purchased a black Samurai Tactical Wakizashi Tactical backpack on Amazon.com on November 24, 2020. Both items resemble the mask and backpack SPEED can be seen wearing in U.S. Capitol Police CCV footage.

Based on the foregoing, your affiant submits that there is probable cause to believe that SPEED 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 SPEED 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.

[REDACTED]

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 21st day of June 2022.

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THE HONORABLE ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE