

STATEMENT OF FACTS

Your affiant, [REDACTED] is an Amtrak Police Detective assigned to Federal Bureau of Investigation. In my duties as a Detective, I investigate matters pertaining to domestic terrorism, sovereign citizen matters, and other national security matters. My investigative duties include, but are not limited to, interviewing potential witnesses and victims, conducting database checks, reviewing social media accounts, reviewing data acquired from cell phones and other digital media, and reviewing other material acquired by various legal processes. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Detective, 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.

Robert Ciottoni's Participation on January 6, 2021

This investigation arose out of an associated investigation into a Philadelphia based Amtrak employee (ASSOCIATE 1) who reportedly traveled from Philadelphia, PA to Washington D.C. and entered the Capitol on January 6th, 2021. Amtrak surveillance and Capitol closed caption television (CCTV) footage revealed that ASSOCIATE 1 was traveling with a male the entirety of January 6, 2021. In an attempt to identify the male, Your Affiant issued a subpoena on Verizon for call records from a number subscribed to ASSOCIATE 1. That number connected with 856-912-8400 eight times throughout the day on January 6, 2021. An open-source search revealed the number to be a T-Mobile number subscribed to ROBERT CIOTTONI of Willow Grove, Pennsylvania.

Amtrak surveillance, captured ROBERT CIOTTONI and ASSOCIATE 1, leaving 30th Street Station, in Philadelphia, at approximately 4:28 a.m. CIOTTONI (Image 1 and 2) is seen wearing a black jacket, black shoes, and dark hooded sweatshirt jeans. Both CIOTTONI and ASSOCIATE 1 arrived in Washington D.C. at approximately 6:55a.m. and returned to Philadelphia at approximately 5:56 p.m.

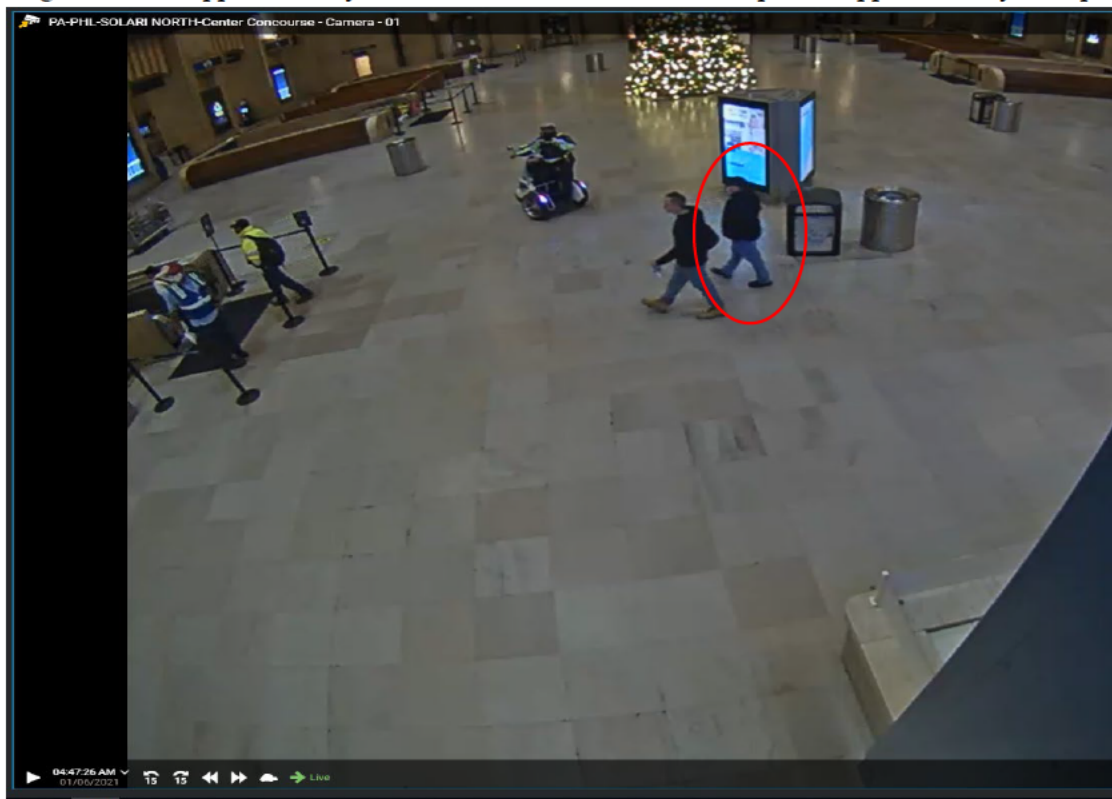


Image 1



Image 2

Closed Caption Television (CCTV) captured CIOTTONI entering the Senate Wing door of the Capitol at approximately 2:24 p.m. The below image shows CIOTTONI, still wearing a black jacket, black shoes, dark hoodie, and jeans (red circle) entering the Capitol slightly after ASSOCIATE 1 (blue circle). CIOTTONI is now wearing a red 'Make America Great Again' hat and carrying a stick.

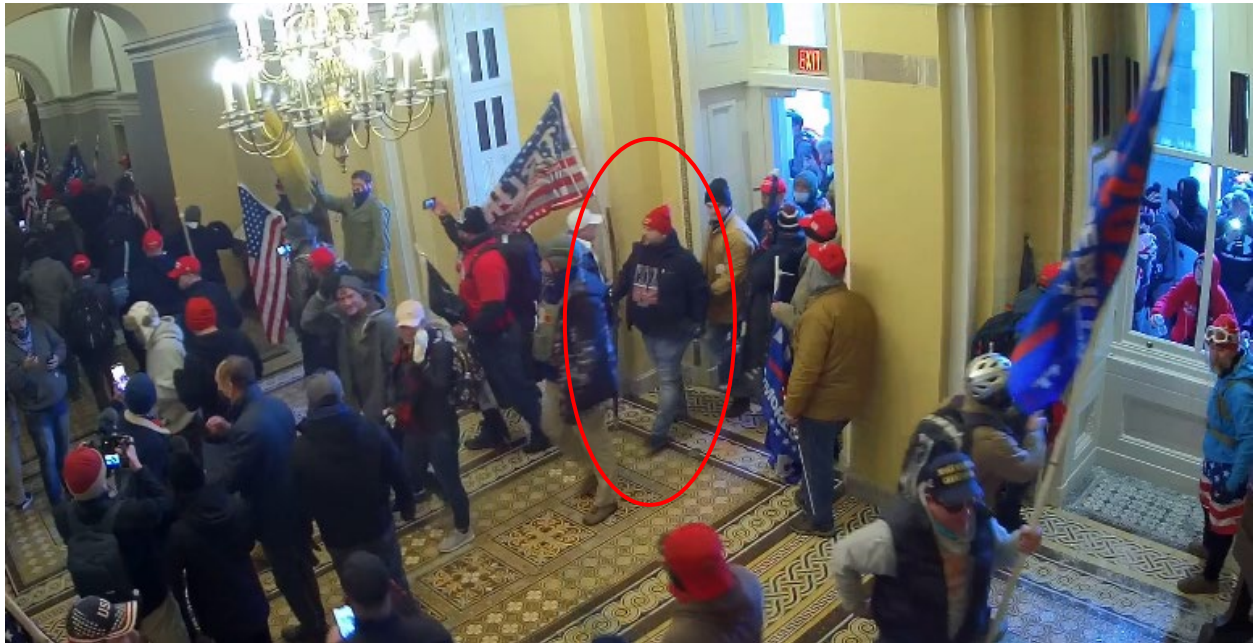


Image 3

CCTV captured CIOTTONI accessing the Rotunda through the Supreme Court Chamber stairs (Image 5).

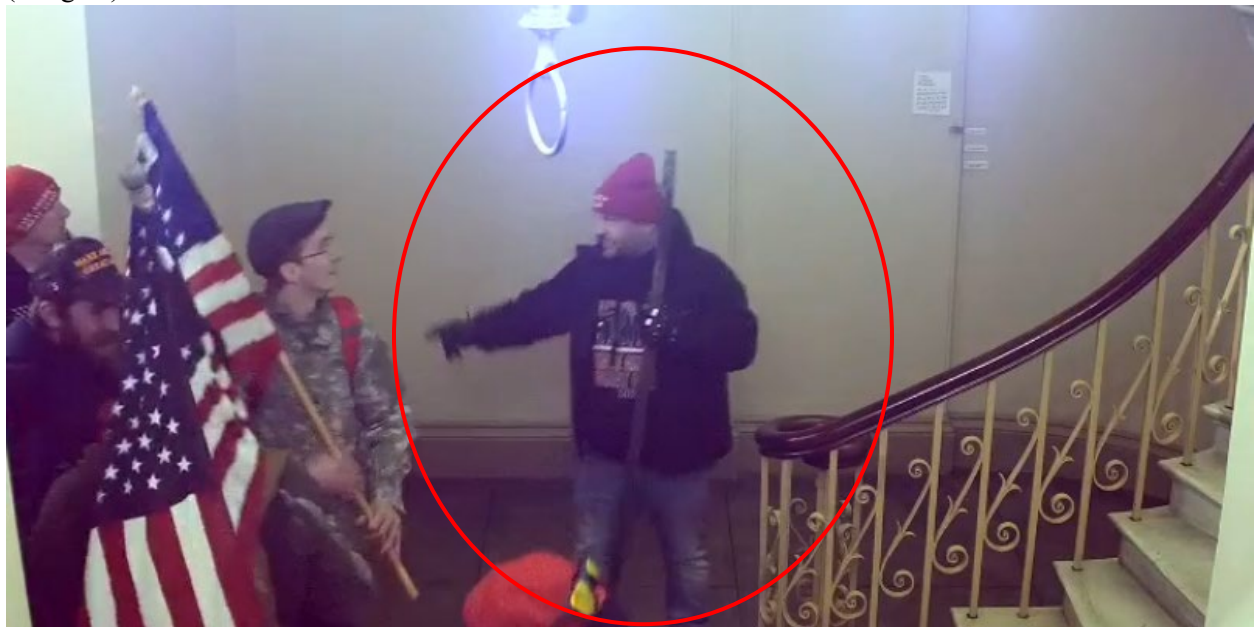


Image 4

After CIOTTONI and ASSOCIATE 1 enter the Rotunda, CIOTTONI, is captured knocking over four velvet barriers.



Image 5

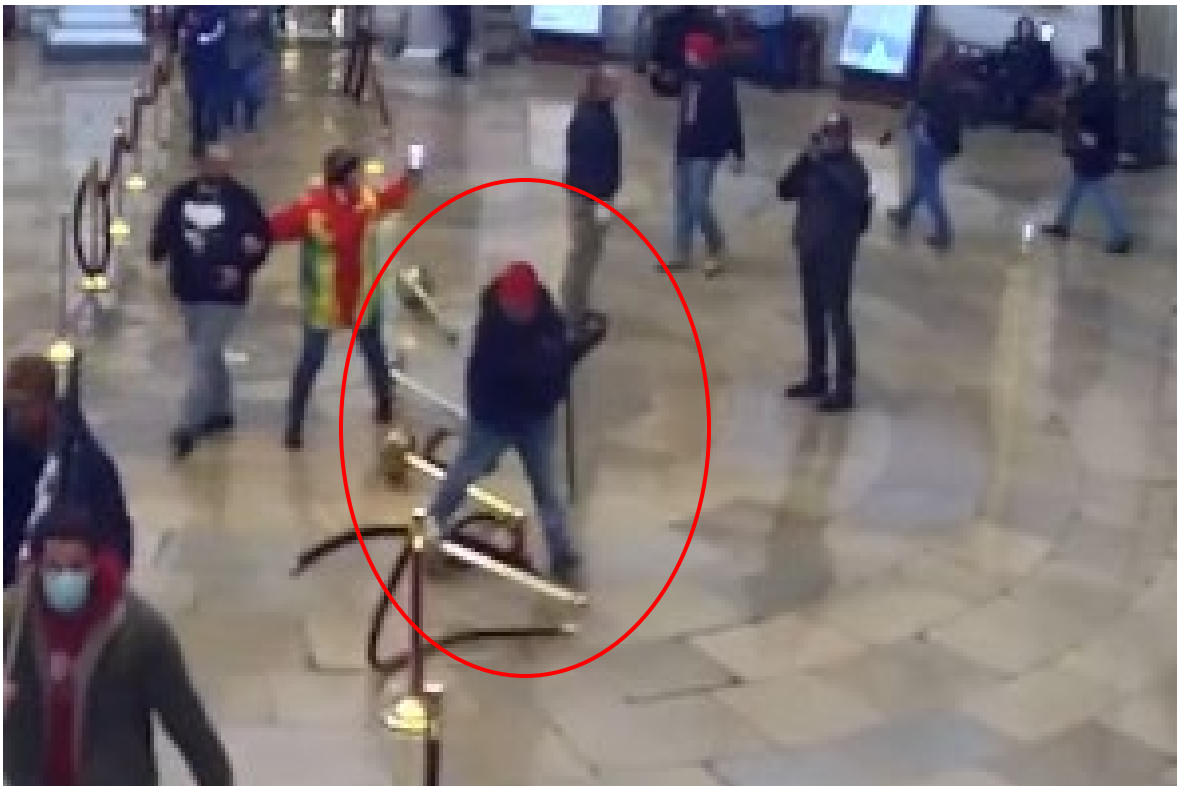


Image 6

CIOTTONI and ASSOCIATE 1 separate as CIOTTONI again entered the Supreme Court Chamber stairwell. CIOTTONI can be seen looking at the Law Library exit before returning to the stairwell.

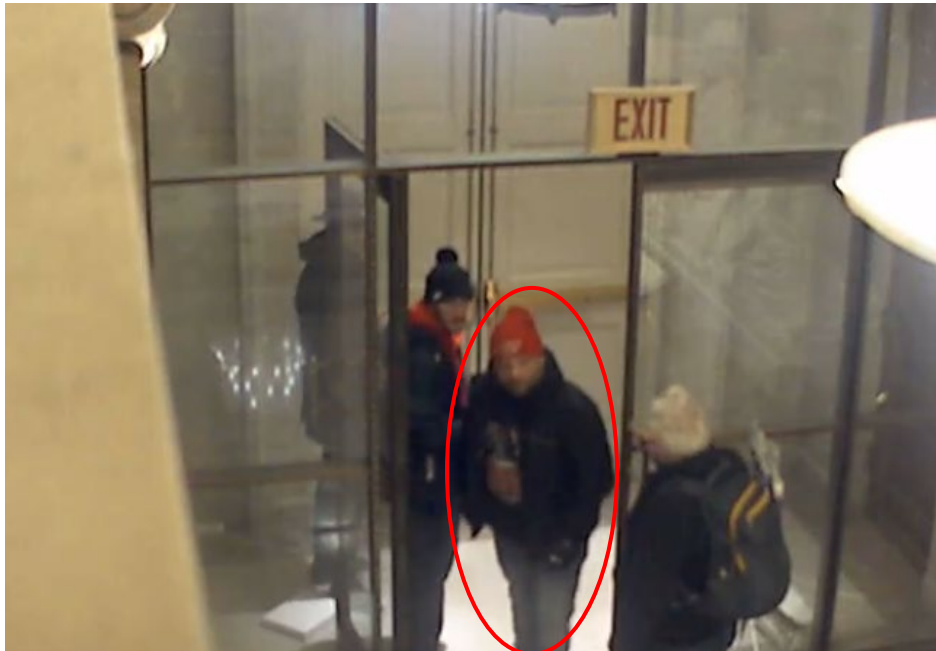


Image 7

At approximately 2:31 p.m., CIOTTONI exits the Capitol through a broken window adjacent to the same Senate Wing doors which he entered.



Image 8

Witness 1 (W1), who has known CIOTTONI for fifteen years, was interviewed and confirmed CIOTTONI'S presence in the Capitol on January 6, 2021. After reviewing all the media from January 6, reviewing photographs of CIOTTONI, and observing CIOTTONI during surveillance, I can identify CIOTTONI in images 1-8.

Based on the foregoing, your affiant submits that there is probable cause to believe that ROBERT CIOTTONI 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. 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 ROBERT CIOTTONI violated 40 U.S.C. § 5104(e)(2)(C),(D) and (G), which makes it a crime to willfully and knowingly (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of— (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or (ii) the Library of Congress; (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.



Amtrak Police Department
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 7th day of March 2024.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE