

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent with the Federal Bureau of Investigation ("FBI") assigned to the FBI Chicago Joint Terrorism Task Force. In my duties as a Special Agent, I have interviewed subjects, victims, and witnesses regarding allegations, I have prepared subpoenas for telephone, online, and financial information, and I have analyzed these records to identify information pertinent to the investigation. I have also prepared and executed search warrants both at physical locations and for telephone and online data, and I have prepared and executed arrest warrants. Over the course of my career, I have become familiar with the manner in which criminal activity is carried out, and the efforts of persons involved in such activity to avoid detection by law enforcement. As a law enforcement officer, I am authorized to execute warrants issued under the authority of the United States. As a 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. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021.

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.

Open-source video and U.S. Capitol security cameras captured images of an individual identified as PATRICK GORSKI (“GORSKI”) of Chicago, IL, as described below, participating in the riot at the U.S. Capitol on January 6, 2021.

IMAGE 1, a photo taken of the lower west terrace of the U.S. Capitol, shows GORSKI, a white male with blonde hair, wearing a red “Make America Great Again” hoodie, a red “Keep America Great” hat, a blue jacket, and a gaiter holding an American flag against a balcony.



IMAGE 1 – GORSKI on the lower west terrace of the U.S. Capitol.

On January 18, 2022, the FBI received a report that GORSKI was at the U.S. Capitol on January 6, 2021 from a tipster, who is GORSKI’s acquaintance. In an in-person interview, the tipster advised that some friends informed the tipster that GORSKI sent multiple pictures of the riot to a group chat from his cell phone. The friends requested the tipster report GORSKI to the FBI. The tipster provided GORSKI’s Facebook and Instagram handles. The tipster viewed photos from both social media accounts and confirmed the photos depicted GORSKI. The tipster confirmed GORSKI in photos from January 6, 2021. The tipster also confirmed that GORSKI had a photography business.

Once the case was opened, FBI found three previous tips were sent to the FBI online portal identifying GORSKI at the riot. Two tips were sent on February 4, 2021, and each tip reported that GORSKI was present taking photos at the riot. Each tip also included that GORSKI was a student at the University of Illinois-Champaign. Neither tip indicated whether GORSKI went inside the building. One of the tips advised that GORSKI was professional photographer, and he had posted photos to his Snapchat. The third tip was sent to the FBI on January 7, 2022, which identified GORSKI's Instagram handle and said GORSKI was present at the "insurrection."

On January 26, 2022, the tipster from January 18, 2022 reported concerns that GORSKI sent multiple messages through Facebook Messenger to friends alleging that someone had reported GORSKI to the FBI for his activities on January 6, 2021. The tipster advised that another individual had informed GORSKI that three people "ratted" him out to the FBI.

A search warrant from Facebook from October 2022, returned messages from GORSKI that corroborated the tipster. GORSKI confronted one friend with a message from another person that three people "ratted" GORSKI out. GORSKI told the friend "I did nothing wrong lol please put me in the select j6 committee to show it was people like you that gave up our country," and "I don't know what you thought you'd get out of it by submitting my name to a database when it is already public." GORSKI also referred to himself as a photojournalist and provided his website as shown in IMAGE 2.

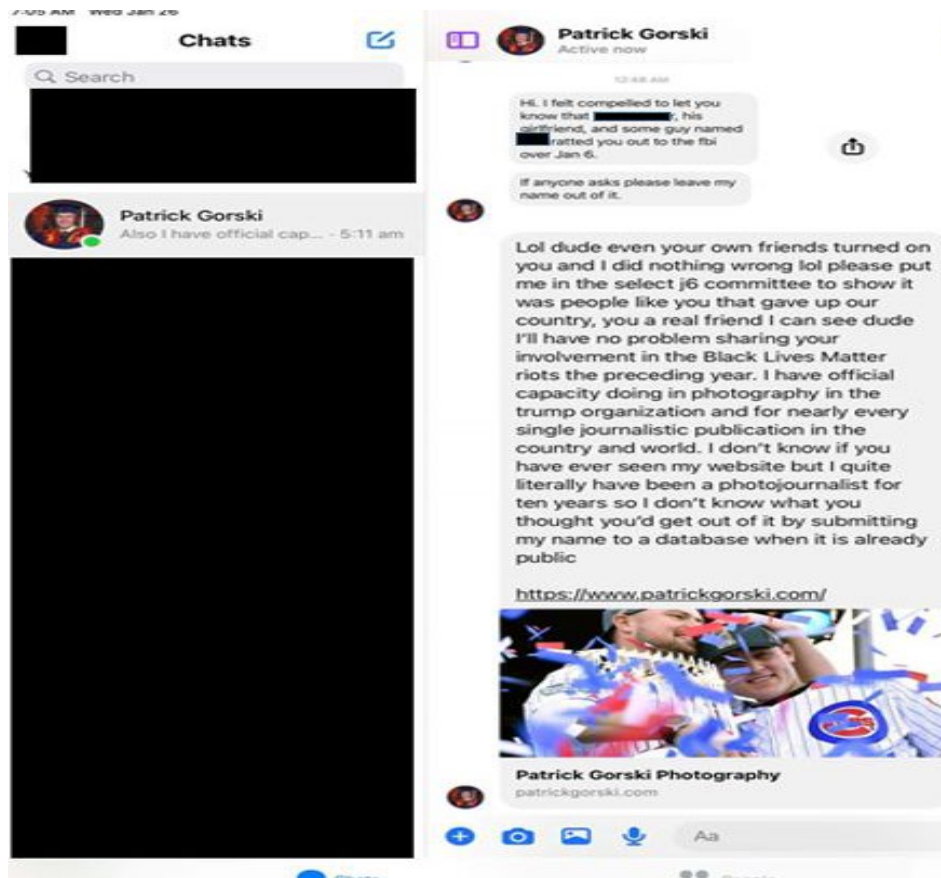


IMAGE 2 – Facebook message GORSKI sent to a friend on January 26, 2022.

GORSKI messaged another acquaintance accusing them of reporting him to the FBI on January 26, 2022. He told the acquaintance, as shown in IMAGE 3, “keep my mother fucking name out of your mother fucking mouth you don’t know me. I don’t need people messaging me telling me this and that about what you said about me when I don’t even know you. Thanks.” The acquaintance denied knowing about anything and GORSKI apologized and said, “I just want to know what happened because it is really serious.”

Author Patrick Gorski (Facebook: [REDACTED])
Sent 2022-01-26 12:18:17 UTC
Body Hey [REDACTED] I don't really know who you are other than chatting for maybe a max of a few minutes here and there over the years, but keep my mother fucking name out of your mother fucking mouth you don't know me. I don't need people messaging me telling me this and that about what you said about me when I don't even know you. Thanks

Author [REDACTED]
Sent 2022-01-26 12:55:16 UTC
Body Hi Patrick, I am honestly confused about this message. Like you said we haven't talked much one on one so I don't know much about you on a personal level. I have expressed by disapproval of your use of the n word in front of me on one occasion and I know we don't align politically, but that's not a secret. But I'm not sure what others could have told you I could of said.

Author Patrick Gorski (Facebook: [REDACTED])
Sent 2022-01-26 13:03:45 UTC
Body You can ask [REDACTED] about it then later because it is much more serious than any of that stuff

Author Patrick Gorski (Facebook: [REDACTED])
Sent 2022-01-26 16:05:26 UTC
Body I apologize for exploding, I just want to know what happened because it is really serious I will talk with [REDACTED] about it

IMAGE 3 – GORSKI’s Facebook message exchange sent on January 26, 2022

On January 6, 2021, GORSKI attended the “Stop the Steal” rally at the Ellipse. Then GORSKI walked over to the U.S. Capitol from the Ellipse in the group that followed a well-known internet personality as shown in IMAGE 4 below. The internet personality and Owen Shroyer¹ took turns addressing the crowd through bullhorns. At one point, Shroyer yelled, “we will not accept the fake election.” GORSKI followed closely behind Shroyer as he yelled and chanted as seen in IMAGE 5. While the group marched to the U.S. Capitol, the group chanted, “whose streets, our streets,” and “Trump won.”

¹ Mr. Shoyer’s case has already been resolved. *U.S. v. Shroyer*, 21-cr-542-TJK



IMAGE 4 – GORSKI walking with a crowd from the Ellipse to the U.S. Capitol.

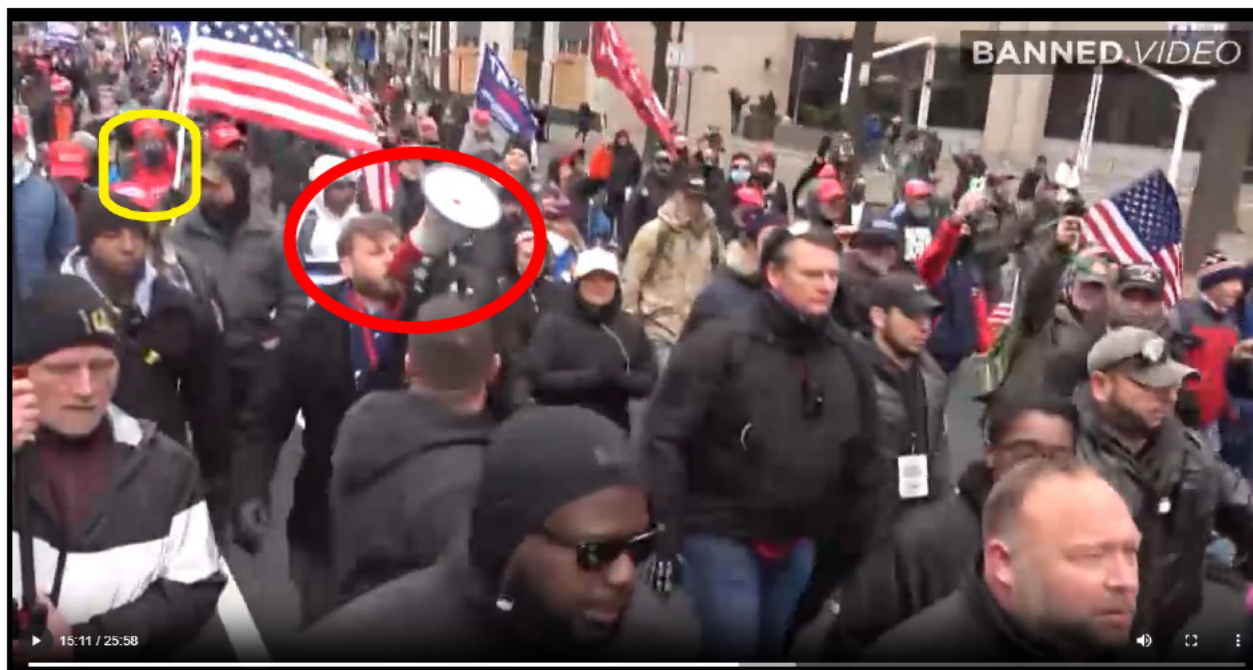


IMAGE 5 – GORSKI behind Owen Shroyer (circled in red) walking to the US Capitol.

When GORSKI first joined the crowd, he took out his phone and appeared to snap photos as seen in IMAGE 6.



IMAGE 6 – GORSKI taking a photo or video before joining the crowd.

GORSKI went to the west side of the U.S. Capitol. Around 1:54 p.m., GORSKI climbed up a wall onto the northwest stairs as shown in IMAGE 7 below. He appeared to take a selfie while on the wall and then put his phone away. Afterwards he helped another rioter onto the wall. GORSKI helped remove the tarp as shown in IMAGE 8, then he entered the scaffolding .



IMAGE 7 – GORSKI after climbing onto the northwest stairs.



IMAGE 8 – GORSKI removing the white tarp that covered the Northwest Stairs scaffolding.

Once inside the scaffolding, GORSKI climbed onto the scaffolding as shown in IMAGE 9. He took photos and then put his phone away again. Eventually, GORSKI got down and helped pass a bike rack to other members of the mob as seen in IMAGE 10.



IMAGE 9 – GORSKI standing on the scaffolding.

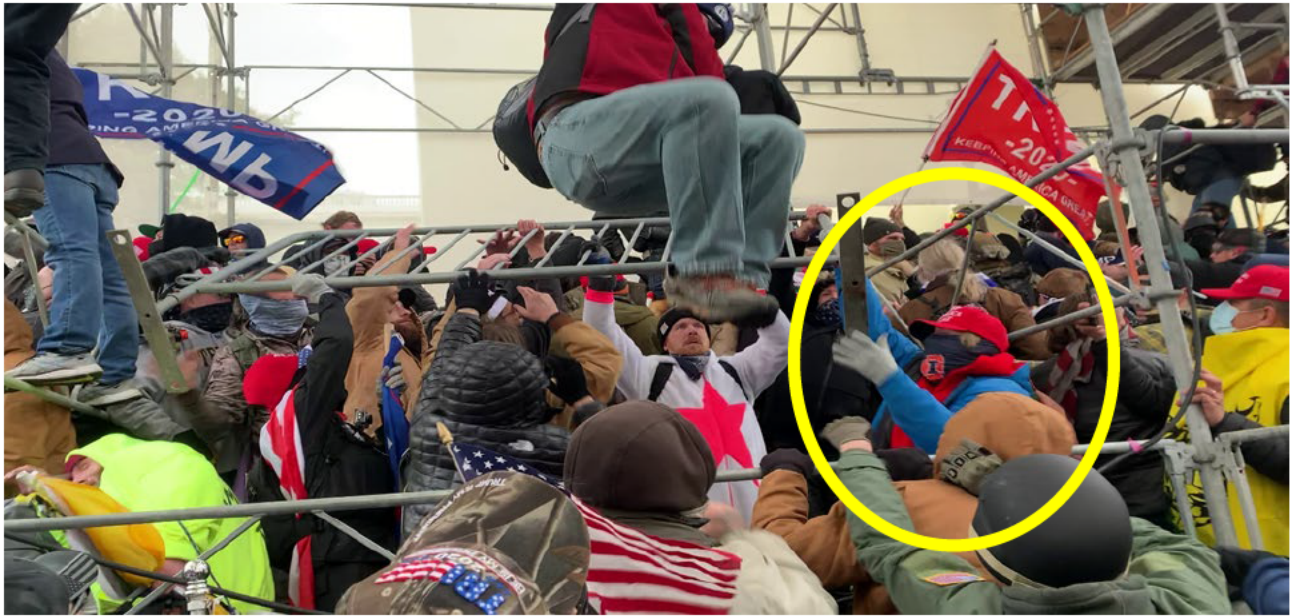


IMAGE 10 – GORSKI passing bike rack to other rioters.

GORSKI left the scaffolding through a hole in the tarp and sat on the northwest stairs. He helped another rioter use a bike rack to climb down from the stairs as shown in IMAGE 11, and then GORSKI jumped down onto the northwest lawn.

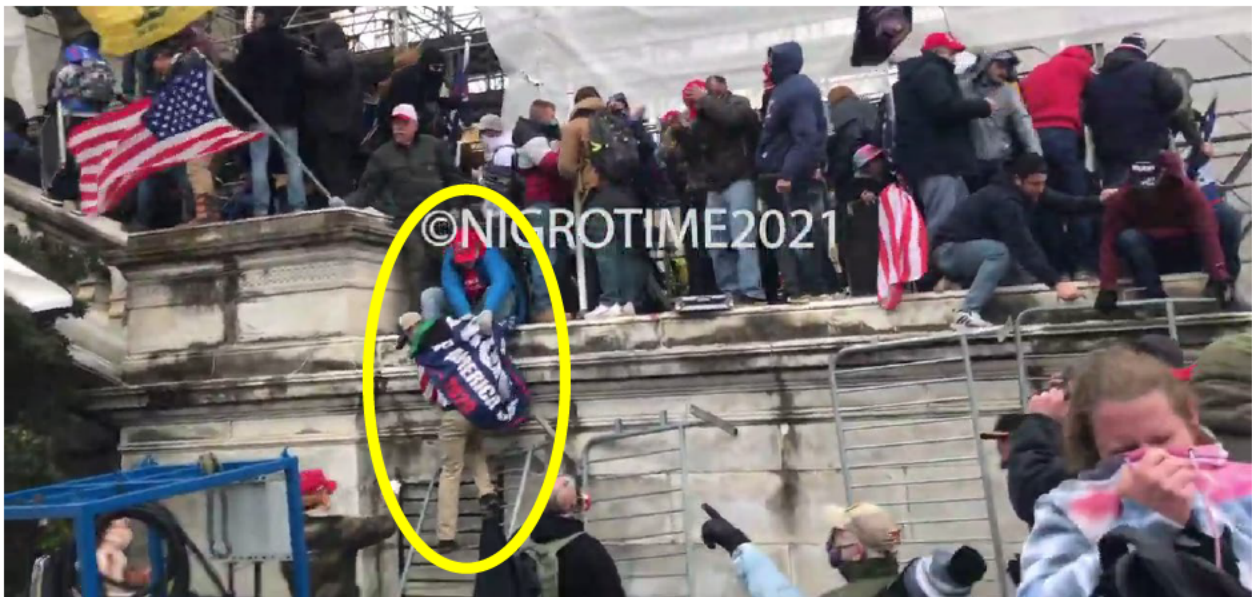


IMAGE 11 – GORSKI helping another rioter down a bike rack.

Once on the lawn, GORSKI joined the rioters surrounding U.S. Capitol Police. He took photos or video while Capitol Police attempted to arrest one rioter as shown in IMAGE 12, he then put his camera away. GORSKI told officers to “just go inside.” GORSKI continued with the group of rioters as they forced police toward the building. Another rioter attempted to stop GORSKI as

shown in IMAGE 13, but GORSKI continued to point and yell at the officers. GORSKI yelled, “this is our house!”



IMAGE 12 – GORSKI taking a photo of a rioter being detained.

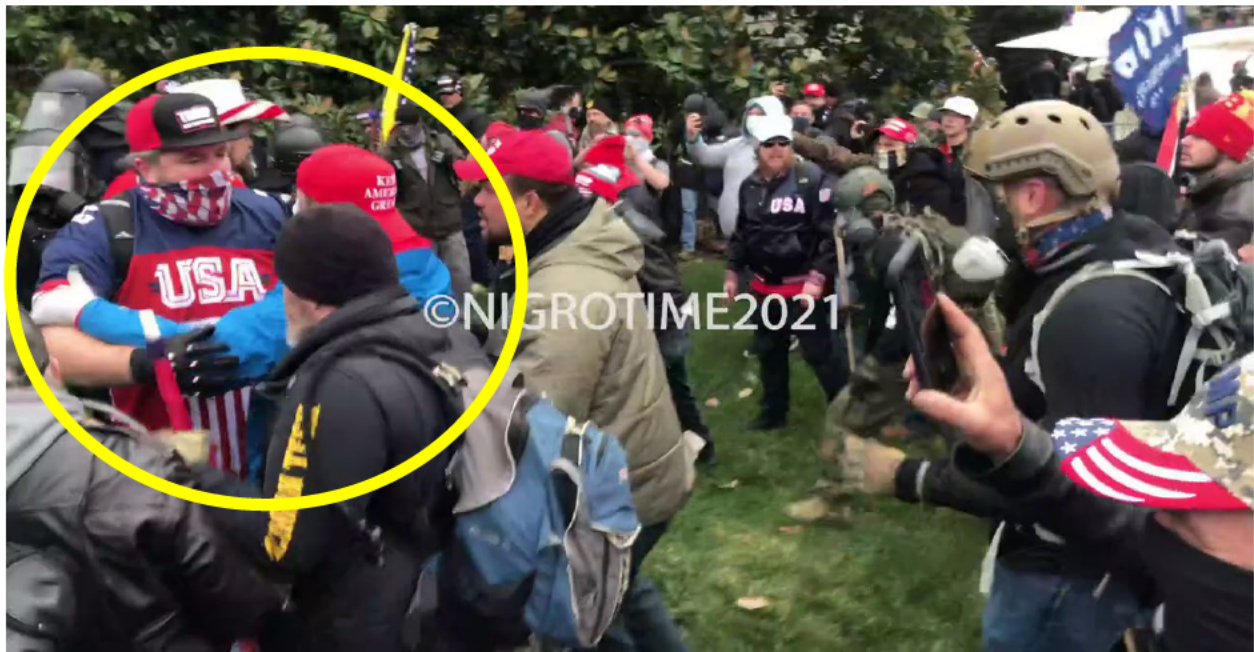


IMAGE 13 – Another rioter getting between GORSKI and police officers.

While the group of rioters continued around toward the east side of the Capitol, GORSKI remained on the west side. He returned to the west plaza in front of the police line and chanted, “let us in!” as shown in IMAGE 14.



IMAGE 14 – GORSKI clapping and chanting, “let us in!”

Eventually, the police line protecting the inaugural stage broke and rioters rushed the stage as police retreated inside the U.S. Capitol building through the tunnel on the lower west terrace. Around 2:40 p.m., GORSKI carried a flag as shown in IMAGE 15 up the stairs to the lower west terrace. GORSKI joined a group of rioters at the balcony and hung the flag over the edge as seen in IMAGE 1.



IMAGE 15 – GORSKI carrying a flag up to the lower west terrace.

While GORSKI displayed the flag off the balcony, police retreated to the tunnel followed by multiple rioters. Around 2:42 p.m., shortly after the first rioters entered the tunnel, GORSKI joined them in the tunnel as shown in IMAGE 16 below. Another rioter broke a glass door with a

giant flagpole while GORSKI walked up to the tunnel and sirens blared. GORSKI along with other rioters pushed forward toward the officers.

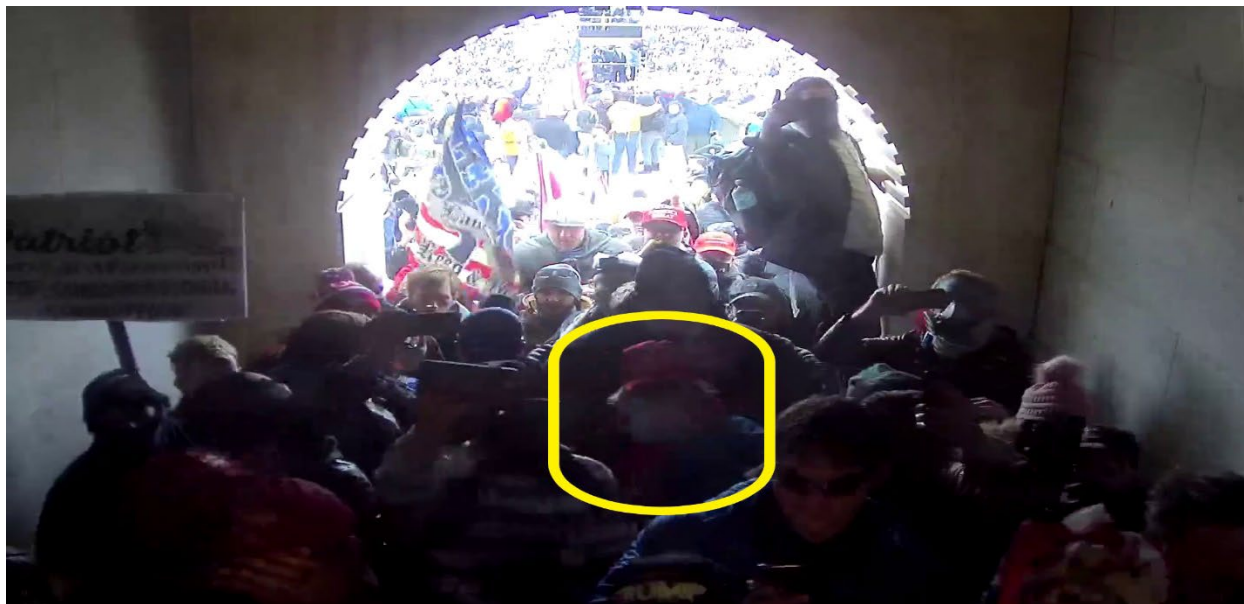


IMAGE 16 – GORSKI entering the tunnel around 2:42 pm.

Inside the tunnel, the sirens continued to blare, rioters pushed against the police, and the rioters chanted, “USA! USA!” GORSKI pushed toward the front with his phone and took photos or videos. GORSKI was hit with O.C. spray, and he moved toward the side of the doorway. GORSKI put his phone away and pushed his way to the front. He screamed at the officers, “This our house! This is our house!” as he lunged forward and pushed against an officer’s riot shield as shown in IMAGE 17 and IMAGE 18.



IMAGE 17 – GORSKI pushing against an officer’s riot shield.



IMAGE 18 – A side view of GORSKI’s hand pushing against an officer’s riot shield.

After spending several minutes in the tunnel, GORSKI left the tunnel as shown in IMAGE 19. He walked around the lower west terrace and spoke to another rioter. GORSKI then left the lower west terrace, but he did not leave the Capitol.



IMAGE 19 – GORSKI exits the tunnel.

GORSKI attempted to enter the Capitol a second time through the Senate Wing door around 3:14 p.m. This time he successfully entered the building as seen in IMAGE 20.

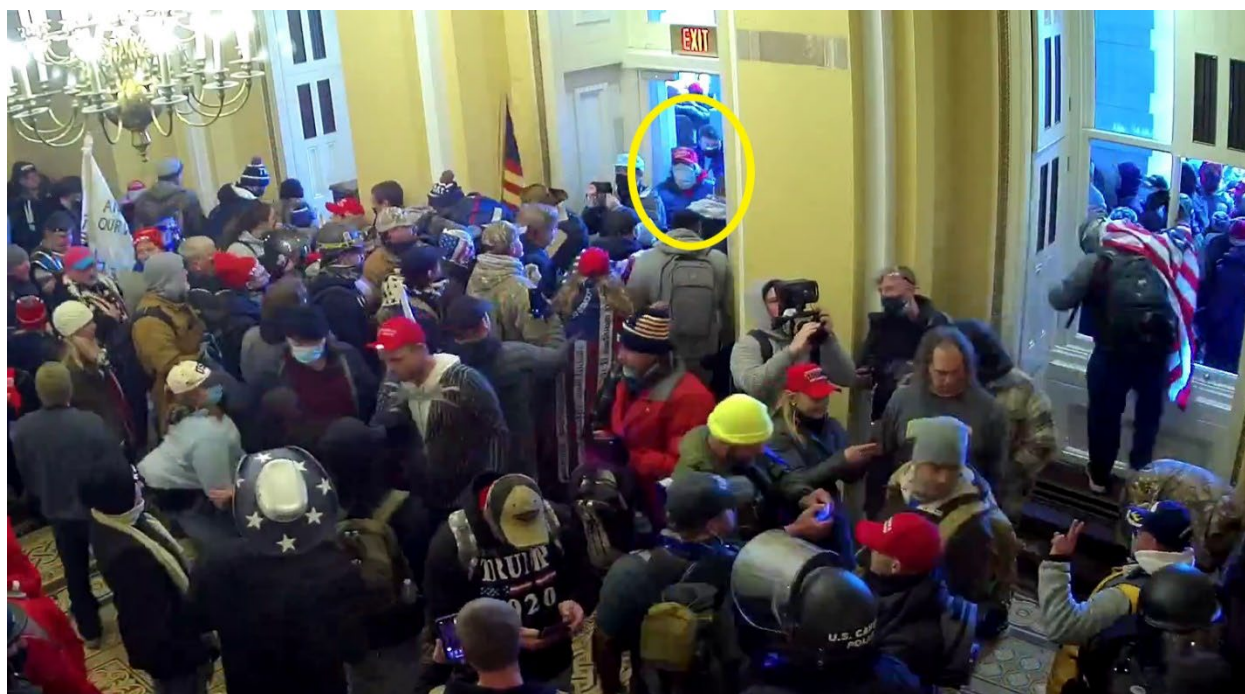


IMAGE 20 – GORSKI enters through the Senate Wing Door.

While inside, GORSKI took photos or videos as shown in IMAGE 21 on his own phone. Additionally, he took a photo of another rioter with a U.S. Capitol police officer on that rioter's phone as shown in IMAGE 22. GORSKI spoke to an officer in the hallway. The officer gestured toward the Senate Wing door and GORSKI left around 3:17pm.



IMAGE 21 – GORSKI taking a photo or video inside the U.S. Capitol



IMAGE 22 – GORSKI taking a photo with another rioter's phone of that rioter and a U.S. Capitol police officer.

GORSKI remained on Capitol grounds. He went around the building to the east side of the Capitol, where he attempted to enter the building for a third time. Around 3:36 p.m., GORSKI appeared in front of the East Rotunda Doors. At this point, police had gained control of the Rotunda and East Lobby. Officers placed riot shields across the open doors when GORSKI arrived as seen

in IMAGE 23. Rioters chanted “USA,” and “bullshit,” after GORSKI arrived. GORSKI took out his phone and appeared to take a photo or video and then put the phone away.



IMAGE 23 – GORSKI arrives at the East Rotunda Doors.

Shortly after GORSKI reached the East Rotunda Doors, he argued with a rioter who was attempting to make a path for officers leaving the building. After those officers left, GORSKI returned to the open door. The remaining officers inside attempted to close the door, but GORSKI and other rioters blocked the way. An officer had to forcibly move GORSKI from the doorway as shown in IMAGE 24. Rioters refused to allow officers to close the door. Officers deployed O.C. spray. GORSKI was hit with the spray, and then he retreated.



IMAGE 24 – An officer moves GORSKI out of the East Rotunda Doors.

GORSKI took off his coat and made his way to the east stairs away from the door as shown in IMAGE 25.



IMAGE 25 – GORSKI standing on the east steps.

GORSKI left the U.S. Capitol sometime before 6:00 p.m. Legal process to Uber confirmed that GORSKI took an Uber from near the tidal basin to the Red Roof Inn Plus in Oxon Hill, Maryland. The Red Roof Inn Plus, also confirmed that GORSKI stayed there from January 5, 2021 to January 7, 2021.

A review of GORSKI's Facebook messages, obtained through legal process, shows he was closely tracking the election results and proceedings from November 2020 until after January 6, 2021. On November 4, 2020, the day after the election, GORSKI told a Facebook group chat, "MI and WI too close to call trump won't lay down and take it haha." Later the same day, he suggested looking "at the people in the ballot counting places."

On November 5, 2020, GORSKI discussed the conspiracy theory that sharpies were used to stop conservative votes from being counted. He shared a tweet about it to his group chat.² He told the group that "ballots everywhere are tossable [sic] out this is actually bad."

GORSKI discussed the electoral college and what the states could do. On November 6, 2020, he asked in a Facebook group chat, "can technically the electoral college vote in whoever they want regardless of who won the state lol?" On December 13, 2020, he told a friend on Facebook, "this is only the beginning an it ain't gonna happen the electoral college is keeping trump on Monday vote." On December 14, the following Monday, the electors met in their respective state capitols to formally vote for the presidential tickets.

On January 3, 2021, GORSKI contacted a friend on Facebook and asked him to go to Washington, D.C. He wanted to leave Tuesday and come back Thursday. January 6, 2021 was a Wednesday. Legal process to Red Roof Inn, confirmed that GORSKI stayed at the Red Roof Inn Plus, Washington DC – Oxon Hill from January 5, 2021 to January 7, 2021.

² Source: Twitter| P8R1OT, November 4, 2020

<https://web.archive.org/web/20201104215604/https://twitter.com/P8R1OT/status/1324102402451116032?prefetchTimestam=1604526964322>

On January 5, 2021, GORSKI contacted a friend on Facebook and told him, “try and access the donald dot win I have never posted on it but I want to know wtf is going on rn literally the Democrats are both to have the senate, house, and presidency, and have taken total control of trump community's communication.” Through my training and experience, I know that thedonald.win was a website that perpetuated many conspiracies theories about the election. The website also included many posts about the certification before January 6, 2021. Many people also used it as a place to make plans related to the riot on January 6, 2021.³ On January 5, GORSKI also talked about how it “will be wild tomorrow.” Through my training and experience, I know this is a reference to President Trump’s tweet from December 19, 2020⁴ when he first announced the rally at the Ellipse on January 6, 2021.

GORSKI continued to discuss the election on January 5, 2021. He told a friend on Facebook that, “Georgia destroyed all their ballots five days after the election which by law are supposed to keep for two years so irregularities like that will disqualify the battleground states.” He stated this would “lead to a re-election or congress will vote for them.”

On January 6, 2021, GORSKI was aware of the certification, he told a friend that the “certification is tonight.” The next day, he told another friend that yesterday was “a success.” GORSKI clarified that the success was “not voting wise but absolutely so American and amazing.”

On May 17, 2022, GORSKI provided an in-person interview to the FBI. An agent who was present confirmed that GORSKI appeared to be the person in the images from January 6, 2021. In the interview, GORSKI told agents that he drove to Washington, D.C. alone to attend the rally at the Ellipse to see former President Trump’s last big speech. Gorski also said he wanted to do some sightseeing in Washington, D.C. because he had never been there before. GORSKI advised he took at least 200 pictures with his personal cell phone while in Washington, D.C. from January 5, 2021 to January 7, 2021. GORSKI also confirmed he stayed at the Red Roof Inn in Oxon Hill, Maryland. Additionally, he told agents he took an Uber from his hotel to the D.C. area.

While GORSKI confirmed going to the Ellipse, he denied going to the Capitol or having any contact with law enforcement. He told agents he heard about the rally through former President Trump’s social media accounts. GORSKI claimed that he only learned about the riot and violent activities from the FBI’s website later. He alleged that anyone who would say he was at the U.S. Capitol would only say that because GORSKI’s conservative political views.

In his interview with the FBI, GORSKI did not claim to be working as a photojournalist on January 6, 2021. GORSKI told agents that he worked as a photographer for the Chicago Fire Department and did not bring his professional camera to Washington, D.C. He also mentioned working for the Trump Campaign during the 2020 election. In Facebook messages, GORSKI mentioned working for then-Vice President Mike Pence during the campaign. GORSKI graduated from the University of Illinois at Urbana-Champaign with a minor in Journalism. GORSKI has

³ See Craig Timberg, *Gallows or guillotines? The Chilling debate on TheDonald.win before the Capitol siege*, WASH. POST, Apr. 15, 2021, <https://www.washingtonpost.com/technology/2021/04/15/thedonald-capitol-attack-advance-democracy/>

⁴ “...Big protest in D.C. on January 6th. Be there, will be wild!” Twitter| @realDonaldTrump – thetrumparchive.com

taken photographs of sporting events and some of his sports photos are available through Getty Images. GORSKI has have photos of sporting events picked up by the Associated Press and USA Today. GORSKI continues to take sports photos at some local Chicago sporting events, but he has not published any political photographs in the past five years.⁵ According to GORSKI's LinkedIn, he currently works as a building commissioner for the Village of Norridge, Illinois. He also recently graduated from Southeastern Illinois University with a masters in public administration.

As shown in IMAGE 26, GORSKI told a friend on Facebook messenger, when discussing January 6, that there was “zero media covering it when it was actually happening I was the closest thing to a photographer there.” GORSKI has not professionally published any photographs from January 6, 2021.

Author Patrick Gorski (Facebook: 100002433180657)

Sent 2021-01-07 01:05:09 UTC

Body Last time this happened was done by the British in 1812 regardless this was one of the most historical things ever

Author Patrick Gorski (Facebook: 100002433180657)

Sent 2021-01-07 01:05:51 UTC

Body Zero media covering it when it was actually happening I was the closest thing to a photographer there absolutely wild

IMAGE 26 – GORSKI Facebook message regarding media presence.

The only time GORSKI discussed journalism and January 6 together was captured in IMAGE 2 above. GORSKI mentions that he has been a photojournalist for 10 years. However, GORSKI does not claim to have been a journalist at the rally or riot on January 6, 2021.

On January 6, 2021, GORSKI was not authorized to be in any of the restricted areas on U.S. Capitol grounds, including the Capitol building. He did not have any press credentials for the U.S. Capitol on January 6, 2021.

Based on the foregoing, your affiant submits that there is probable cause to believe that GORSKI 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;

⁵ Recently, he took photos at a Chicago Fire soccer game. *MLS: LA Galaxy at Chicago Fire FC*, Patrick Gorski, https://www.henryherald.com/fieldlevel/mls-la-galaxy-at-chicago-fire-fc/image_5279f0eb-6963-551a-8a42-1f70d29ec4db.html (Jun 2, 2024).

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 GORSKI violated 40 U.S.C. § 5104(e)(2)(D) & (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 PATRICK GORSKI violated 18 U.S.C. 231(a)(3), which, in pertinent part, makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes. See 18 U.S.C. § 232(3). For purposes of Section 231 of Title 18, civil disorder means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual. See 18 U.S.C. § 232(1).


SPECIAL AGENT 
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 18th day of November 2024.

HONORABLE G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE