

STATEMENT OF FACTS

I, the affiant, Kyle Hicks, am a Special Agent of the Federal Bureau of Investigation and have been so employed since October of 2019. I am presently assigned to the FBI's Los Angeles Division. In my duties as a Special Agent, I investigate Domestic Terrorism matters. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. 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.

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.

News media coverage of the aforementioned events, and video footage that 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. This allowed investigators to collect publicly available photo and video media depicting many individuals accessing restricted areas of the U.S. Capitol.

Investigative Leads Regarding CHRISTIE's Involvement in Events of January 6, 2021

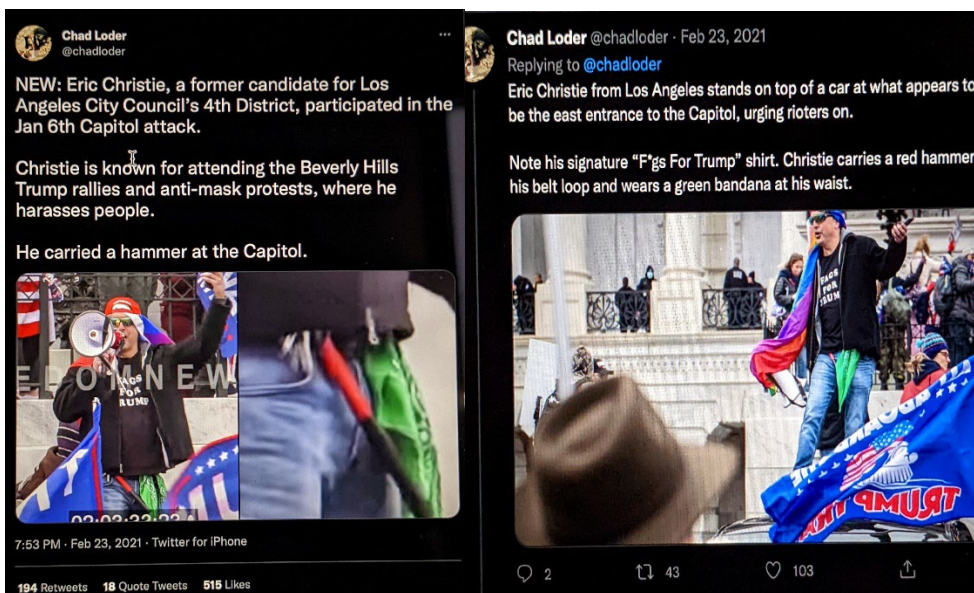
On January 12, 2021, FBI Special Agents interviewed a participant in the riot at the U.S. Capitol, Individual 1. Individual 1 stated that on the morning of January 6, 2021, she was standing in the crowd by the Washington Monument and ran into her friend, ERIC, from Los Angeles. Individual 1 and ERIC went back to ERIC's hotel, The George, and watched President Trump's speech on ERIC's cell phone. Individual 1 then returned to the street and followed the crowd to the Capitol building. On the night of January 6th, Individual 1 again met up with ERIC in his hotel room. Individual 1 was scared because she had stolen a baseball from the office of Nancy Pelosi, the Speaker of the House of Representatives. Individual 1 gave ERIC the baseball and asked him to hold onto it for her, with the idea that he could give it back to her later. The following day, after speaking with her attorney, Individual 1 and her attorney contacted ERIC and asked him to turn the baseball over to the attorney, which, according to Individual 1, he did. Individual 1 told agents that ERIC's contact information was stored in her phone under "Eric Patriot." A review of Individual 1's cellular telephone revealed an "Eric Patriot" with telephone number (949) 903-XXXX. According to T-Mobile records, telephone number (949) 903-XXXX is currently subscribed to Eric Christie (CHRISTIE) and has been since June 2005.

The below image was sent to Individual 1 from telephone number (949) 903-XXXX, the number which, as described, was labeled in Individual 1's contacts as "Eric Patriot." The image was sent by CHRISTIE to Individual 1 on November 14, 2020, which was the date of the "Million MAGA March" gathering in Washington, D.C. in support of then President Trump. Based on your affiant's familiarity with Washington, D.C., I believe the photo below was taken outside the United States Supreme Court in Washington D.C., which is located just across from the U.S. Capitol Building. Based on your affiant's personal interactions with and observations of CHRISTIE, as described further below, I believe the image is a picture of CHRISTIE.



Due to the nature of the events at the U.S. Capitol on January 6, 2021, and the intense news media and online amateur journalist coverage, many private individuals were able to review large amounts of photos and videos produced that day. The FBI became aware of several social media posts regarding CHRISTIE.

On February 23, 2021, Twitter user @chadloder posted the following photographs of an individual he identifies as CHRISTIE standing on what appears to be the East side of the United States Capitol building. The individual depicted in the photograph is wearing a black shirt with white lettering that states, “Fags for Trump,” which appears to be the same t-shirt worn by CHRISTIE in the photo CHRISTIE sent to Individual 1 on November 14, 2020. The individual depicted in the photograph also has what appears to be a hammer attached to his belt.



On April 30, 2021, FBI Special Agents interviewed another participant in the riot at the U.S. Capitol, Individual 2, regarding her activity and observations in Washington D.C. on January 6th. Individual 2 stated that she was present in Washington D.C. for the events of January 6, 2021. On the morning of January 6th, Individual 2 saw CHRISTIE, who she knew from Beverly Hills rallies in support of President Donald Trump. Individual 2 stated CHRISTIE often wears a T-shirt printed with the words, “Fags for Trump.” Individual 2 met with CHRISTIE and Individual 1 in a hotel room in Washington D.C. immediately after the events of January 6. Individual 2 observed CHRISTIE receive a baseball from Individual 1 that Individual 1 had taken from an office inside the U.S. Capitol. Based on the information provided by Individual 2, as well as other information described herein, it further appears that the “ERIC” described by Individual 1 is Eric CHRISTIE.

Records Related to CHRISTIE's Travel to Washington D.C.

Air travel records obtained by the FBI indicate that on January 5, 2021, CHRISTIE traveled from Los Angeles International Airport (LAX) to San Francisco International Airport (SFO) on United flight 1666 and onwards from SFO to Dulles International Airport (IAD) on United flight 2247. The ticket was purchased on December 31, 2020. On January 9, 2021, CHRISTIE returned from Ronald Regan National Airport (DCA) to LAX on Alaska Airlines flight 0005.

Review of Public Information Related to CHRISTIE's Actions on January 6, 2021

Based on a review of tips received by the FBI, publicly available images, videos, news articles, and other online resources, CHRISTIE's conduct on January 6, 2021, at the U.S. Capitol included the following:

At approximately 1:55 p.m. on January 6, 2021, a video depicts CHRISTIE emerging from a group of people and running towards the front of the crowd as they push through a police line and barriers erected on the East side of the Capitol building. CHRISTIE is seen at the 2 minute, 34 second mark wearing sunglasses, a backwards red baseball hat with a rainbow flag tucked underneath, and a black t-shirt with white lettering that says, "Fags For Trump."

Source: <https://www.youtube.com/watch?v=185f3LPxUYU>

"Battle of the Barriers and the Rush towards the Capital Steps"



As the crowd pushes their way through the barriers and law enforcement officers, CHRISTIE can be seen running past people in an effort to make his way to the front of the crowd that is moving towards the East side of the Capitol.



After pushing through the metal barriers, the crowd rushes forward, causing the Capitol Police officers to retreat up the steps on the East side of the building. In a publicly available video on YouTube, CHRISTIE can be seen running up the East side steps of the building as police officers are retreating up the steps and attempting to hold a line. CHRISTIE emerges at the 2 minute and 18 second mark of the video holding a bullhorn in his hands. Several seconds go by as the video pans back to large crowd making their way toward the steps of the Capitol. CHRISTIE reemerges on video at the 2 minute, 37 second mark facing the crowd with his back to the officers attempting to hold their ground. CHRISTIE can be heard repeating “this is our Capitol” into the bullhorn.

Source: <https://www.youtube.com/watch?v=uabDfDXy3yY>
“Patriots Storm U.S. Capitol in Washington, D.C.”





In another publicly available video posted to YouTube, CHRISTIE can be seen at the base of the stairs on the East side of the Capitol standing on what appears to be a government vehicle. CHRISTIE is perched above the large crowd that has gathered and is addressing the crowd through his bullhorn. CHRISTIE can be heard saying “it’s a MAGA party, it’s a MAGA party,” “welcome to MAGA country, District of Columbia,” “come on, you can come up... It’s your house,” “You’re invited, it’s your house,” and “Beverly Hills in the house.”

Source: <https://www.youtube.com/watch?v=jBRJmnvFfo8&start=3821>
“REEL: The Capitol Siege – January 6th – RAW FOOTAGE”





The row of vehicles parked at the base of the steps on the East side of the Capitol can be seen at the 2 minute, 10 second mark of the YouTube video “Patriots Storm U.S. Capitol in Washington, D.C.” CHRISTIE is standing on one of these vehicles and addressing the crowd through his bullhorn in the referenced YouTube video “A Very Exciting Hour.” Due to the location of these vehicles within the security perimeter of the restricted area on January 6, 2021, and the license plates visible in the referenced video, your affiant believes these to be government vehicles.

Source: <https://www.youtube.com/watch?v=uabDfDXY3yY>
“Patriots Storm U.S. Capitol in Washington, D.C.”



Patriots Storm U.S. Capitol in Washington, D.C.

Source: <https://www.youtube.com/watch?v=tnLLmjdAcUlt>
“A Very Exciting Hour”



A Very Exciting Hour

A review of the “REEL: The Capitol Siege – January 6th – RAW FOOTAGE” YouTube video reveals CHRISTIE in possession of a claw hammer tucked into the belt loop of his pants. In the following two photos, the handle and claw of the hammer are visible as CHRISTIE extends his arms and torso upward.



On February 21, 2022, your affiant approached CHRISTIE in person and attempted to communicate with him. Based on this interaction, as well as the other facts contained within this affidavit, your affiant reasonably believes that the person shown within the restricted area of the U.S. Capitol on January 6, 2021, is, in fact, Eric CHRISTIE.

Based on the foregoing, I submit that there is probable cause to believe that CHRISTIE violated 18 U.S.C. §§ 1752(a)(1) and (b)(1)(A), which makes it a crime to knowingly enter or remain in any restricted building or grounds without lawful authority to do so, and to use or carry a deadly or dangerous weapon or firearm in relation to that offense. I also submit that there is probable cause to believe that CHRISTIE violated 18 U.S.C. §§ 1752(a)(2) and (b)(1)(A), which makes it a crime to knowingly 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, and to use or carry a deadly or dangerous weapon or firearm in relation to that offense.

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.



Special Agent Kyle Hicks
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 15th day of December, 2022..

THE HONORABLE ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE