

## STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent with the Federal Bureau of Investigation (FBI) and has been since August 2021. Currently I am assigned to the Detroit Division, Bay City Resident Agency. In my duties as Special Agent, I am tasked with investigating criminal activity. Such as the event that occurred 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.

### ***Identification of Matthew Thomas Krol***

According to open source law enforcement databases, Matthew Thomas Krol is a 63-year-old male from Linden, Michigan and the user of a Sprint Account with a phone number ending in -7442.<sup>1</sup> Open source law enforcement databases show that the number ending in -7442 is in the name of Matt Krol.

Based on FBI investigation, Krol has been identified as FBI Most Wanted Capitol Violence Subject #291, wanted for assaulting a Capitol Police Officer, stealing a police baton from said Officer, and using the stolen baton to assault other Capitol Police Officers. Video of the incident is available from multiple viewpoints, including officer body worn camera footage. I have personally reviewed these videos, described further below.

On April 30, 2021 an initially-anonymous tipster contacted the FBI, identifying FBI Most Wanted Capitol Violence Subject #291 as seen in Image 1 below.

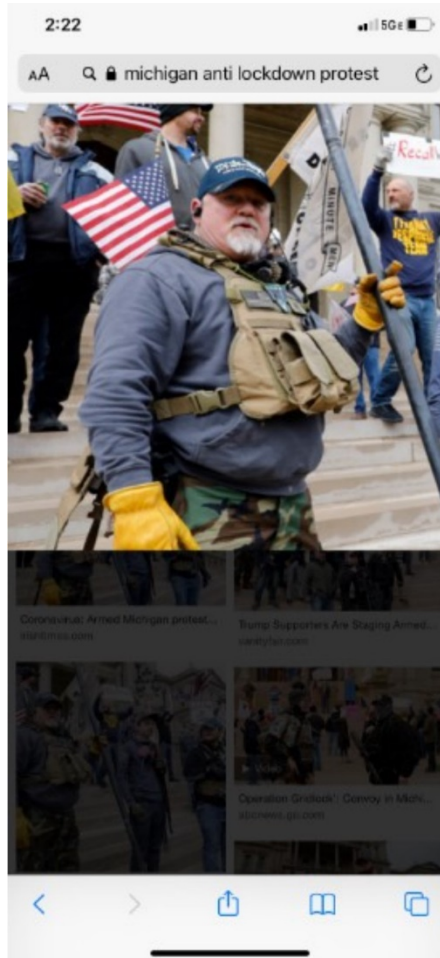


*Image 1*

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<sup>1</sup> The government knows the entire phone number but has only used the last four digits here due to the public nature of the filing.

In a follow-up interview on May 19, 2021 the same initially-anonymous tipster explained to a fellow FBI Special Agent that he/she knew Krol personally. The tipster explained that they had identified Krol from FBI Most Wanted images on Twitter. The tipster also explained that they had also seen images of Krol attending protests at the Michigan Capitol and provided a photograph of a person at those protests they identified as Krol. That photograph is Image 2 below.



*Image 2*

Based on a review of the photo provided by the tipster and the footage from January 6, 2021, it was noticed that in both instances, Krol appears to be wearing an American flag tucked in the shoulder of his backpack.

On January 6, 2021 the person depicted in FBI Most Wanted Capitol Violence Photograph Series #291, who has been identified as Matthew Thomas Krol, was captured in camera footage participating in violence against law enforcement officers at the Capitol in Washington D.C., on the restricted grounds of the Capitol. Images 3-6, from the FBI Notice, appear below:



*Image 3*



*Image 4*

*Image 5*



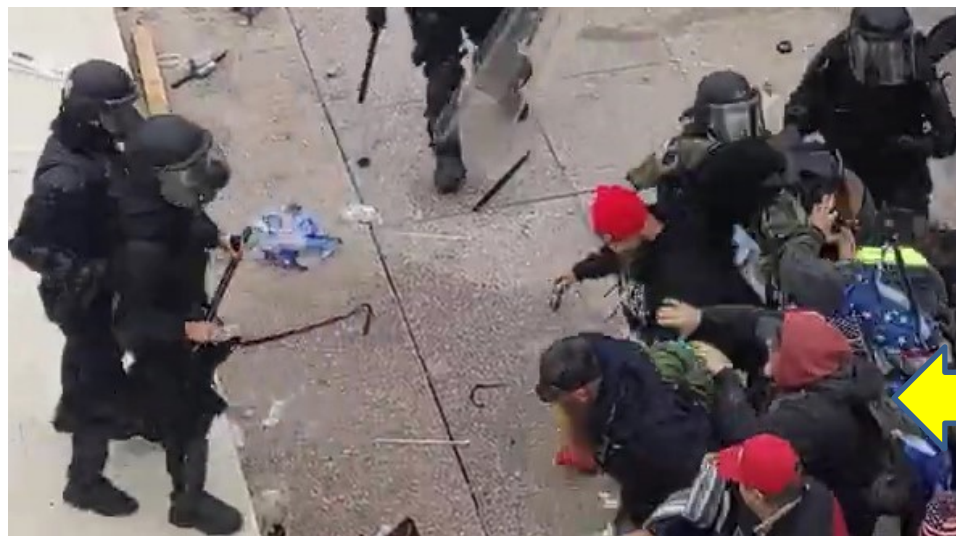
*Image 6*

Video footage of the events at the Capitol Building in Washington D.C. on January 6, 2021 shows that at approximately 2:28 p.m. near the Capitol Steps on east side of the building, Matt Krol pushed forward through the crowd, threw a water bottle at police officers, pulled other civilians out of his way, and attacked Metro Police Department Officer D.P., grabbing him and his police baton.

In the video footage from January 6, 2021, Krol is shown wearing blue pants, a dark hooded jacket, a red hood, a green backpack with a blue flag draped across the back and an American flag extended over his right shoulder, as depicted in Images 7-9 below



*Image 7*

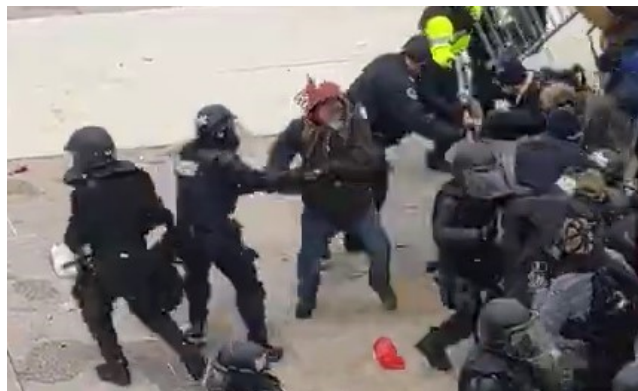


*Image 8*



*Image 9*

The video footage shows that Krol spun Officer D.P. around multiple times, pulling them into the crowd and eventually wresting the baton from Officer D.P.'s hand. Krol then turns to the crowd, holding up the baton as if in celebration. Screenshots from the video footage are below in Images 10-12.



*Image 10*



*Image 11*

*Image 12*

Krol then used Officer D.P.'s baton to strike other Metro Police Department Officers, including Officer J.M. as depicted in Image 13 below.



*Image 13*

Officer D.P.'s body camera footage shows Krol's initial assault in Images 14-20 below.



*Image 14*





*Image 15*



*Image 16*



*Image 17*



*Image 18*



*Image 19*



*Image 20*

Officer J.M.'s body camera footage shows Krol's assault on Officer J.M. and another officer who is holding a shield with the baton that Krol stole from Officer D.P. as shown in Images 21-27 below.



Image 21



Image 22



Image 23



*Image 24*



*Image 25*



Image 26

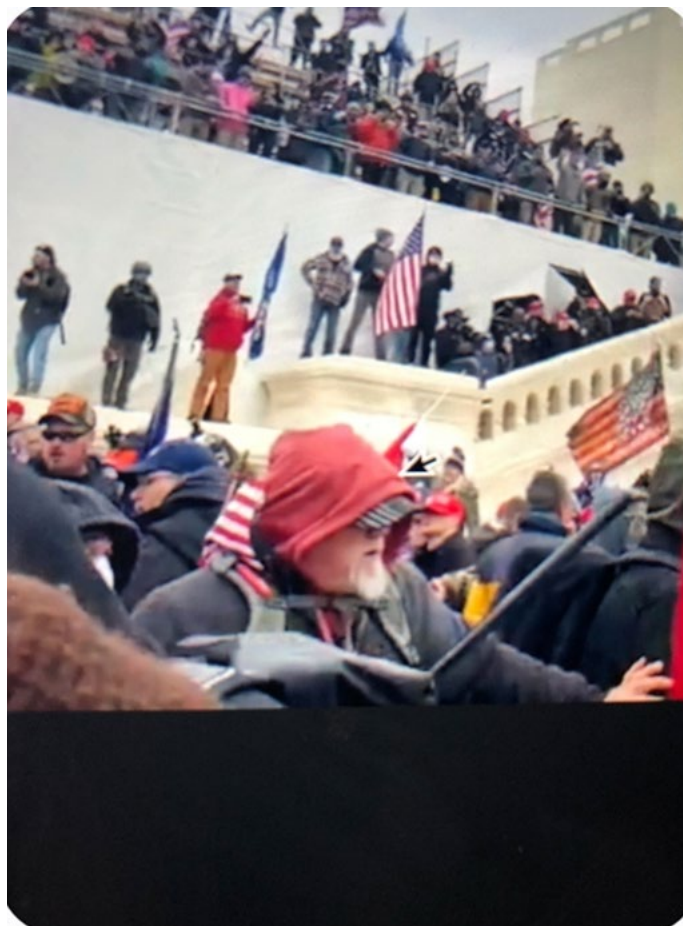


Image 27

Additional review of open source videos also show Krol's attacks. Specifically, a YouTube video found at <https://www.youtube.com/watch?v=yFMZwA7fPoQ> titled "Protesters Break Police Line In Front of US Capitol" shows Krol force his way through the police line, grab Officer D.P., and spin him around while stealing Officer D.P.'s baton. Another video clip found at <https://jan6attack.com/videos/b/bLzjJt5EsDB8/> shows Krol forcing his way through the crowd. A similar video clip was received by the FBI from seditonhunters.org titled "Washington DC Capitol breach" and shows Krol grabbing Officer D.P, spinning him around, stealing his baton, holding it up to the crowd, and using the baton to strike at other officers.

On March 11 and 16, 2021, U.S. Capitol Police Sergeant A.G. was interviewed by the FBI. A.G. was a U.S. Capitol Police (USCP) Sergeant that was working on January 6, 2021 during the Capitol Riot. A.G. reviewed a number of videos available on the Internet with the FBI

and identified individuals who assaulted him on January 6, 2021. A.G. provided a screenshot of a white male with a white goatee wearing a red hoodie pulled up over a hat (Image 28). The male is carrying a short pole or baton. This individual struck A.G. with the baton. The screenshot came from a video posted at <https://www.projects.propublica.org/parler-capitol-videos>. The screenshot was from the video titled "2:29 p.m. Near Capitol." A.G. found a second video from the same website titled "2:28 p.m. Near Capitol" in which the male with the red hoodie can be observed striking an officer at approximately the 10 second mark and again at the 20 second mark. At approximately the 30 second mark, he can be observed striking A.G. (Image 29). A.G. believes that this strike injured his hand.



*Image 28*



*Image 29*

Publicly available sources confirm the identity of Krol. Krol is the self-professed executive officer of the Genesee County Volunteer Militia and was frequently seen in local news and media reports during the Flint Water Crisis in early 2016. These reports are currently available through various sources online including <https://www.youtube.com/watch?v=xFeJ6ipTLsU>, a video titled “Matt Krol III speaks about the water crisis at Flint City Hall with Genesee County Volunteer Militia (Image 30), [https://www.mlive.com/news/flint/2016/01/militia\\_members\\_rally\\_outside.html](https://www.mlive.com/news/flint/2016/01/militia_members_rally_outside.html), a news article describing Krol as the “Second Commander” for the Genesee County Volunteer militia (Image 31), and <https://www.dailykos.com/stories/2016/2/4/1479931/-Senate-Democrats-block-energy-bill-over-Republican-refusal-to-add-Flint-aid-package>, a news article about the Flint water crisis (Image 32). I have personally reviewed these programs and articles.



# Genesee County Militia Water Rally

Posted on January 24, 2016 4:22 PM | Updated January 24, 2016 4:22 PM



Conor Ralph | [cralph1@mlive.com](mailto:cralph1@mlive.com)

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## Genesee County Militia Water Rally

Second commander Matt Krol speaks with Genesee County Volunteer Militia members and protesters while gathering for a rally outside of Flint City Hall on Sunday Jan. 24, 2016 over the cities ongoing water crisis. The Militia was handing out free bottled water and water filters. Conor Ralph | [MLive.com](http://MLive.com) [BUY IMAGE](#)

*Image 30*



[#flintwatercrisis](#)

Matt Krol III speaks about the water crisis at Flint City Hall with Genesee County Volunteer Militia

*Image 31*



*Image 32*

Pursuant to legal process, the phone records for Krol's phone number ending in -7442 show that the user of the phone traveled to the Washington D.C. area from the Michigan on January 5, 2021 and returned to Michigan on January 7, 2021. The results also show that the user of the phone was in the downtown Washington D.C. area during the day of January 6, 2021, and was specifically in or immediately around the U.S. Capitol Building from 1:42 p.m. through 3:01 p.m. According to the body camera footage of Capitol Police Officers D.P. and J.M., Krol began assaulting them at approximately 2:28 p.m. or 2:29 p.m.

On October 27, 2021, Krol identified the same phone number ending in -7442 as his own number to law enforcement.

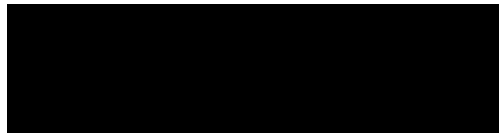
Based on the foregoing, your affiant submits that there is probable cause to believe that Matthew Thomas Krol violated 18 U.S.C. § 1752(a)(1), (2) and (4), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, 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; (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; 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 Matthew Thomas Krol violated 40 U.S.C. § 5104(e)(2)(F), which makes it a crime to willfully and knowingly (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings.

Based on the foregoing, your Affiant submits that there is probable cause to believe that Matthew Thomas Krol violated 18 U.S.C. § 111(a)(1) and (b), which makes it a crime to forcibly assault or interfere with any person designated in section 18 U.S.C. § 1114 as an officer or employee of the United States while engaged in or on account of the performance of official duties. Persons designated within section 1114 include any person assisting an officer or employee of the United States in the performance of their official duties. Subsection (b) includes an enhancement for violating this provision while using a deadly or dangerous weapon.

Your affiant submits there is probable cause to believe that Matthew Thomas Krol violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or 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 commerce or the movement of any article or commodity in commerce or 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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 26th day of January 2022.

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G. MICHAEL HARVEY  
U.S. MAGISTRATE JUDGE