

## STATEMENT OF FACTS

Your affiant, [REDACTED] is a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and has been so employed for approximately 25 years. I am currently assigned to the Oklahoma City Division, Tulsa Resident Agency of the FBI, and am authorized and responsible for conducting investigations of numerous criminal and national security violations falling within the FBI's jurisdiction. During my career as an FBI Agent, I have investigated violent crimes and threats against national security to include crimes against the United States Government.

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, shortly 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.

On January 11, 2021, a witness (“W-1”) submitted an online tip to the FBI National Threat Operations Center (NTOC) to report a man named JERRY RYALS, from Muskogee, Oklahoma, who W-1 believed had participated in the U.S. Capitol Building breach on January 6, 2021. W-1 later reported that after the events of January 6, 2021, W-1 and a relative (“W-2”) were watching news footage of the incident. W-2 told W-1 that IT recognized one of the people coming out of the U.S. Capitol Building as JERRY RYALS. W-1 also reported that W-2 had spoken with an individual (“W-3”) with a close personal relationship with RYALS. During the conversation, W-3 showed W-2 photos of JERRY RYALS inside the U.S. Capitol Building on January 6, 2021. W-3 also confirmed (to W-2) that JERRY RYALS was in Washington, D.C. on January 6, 2021, and had entered the U.S. Capitol Building.

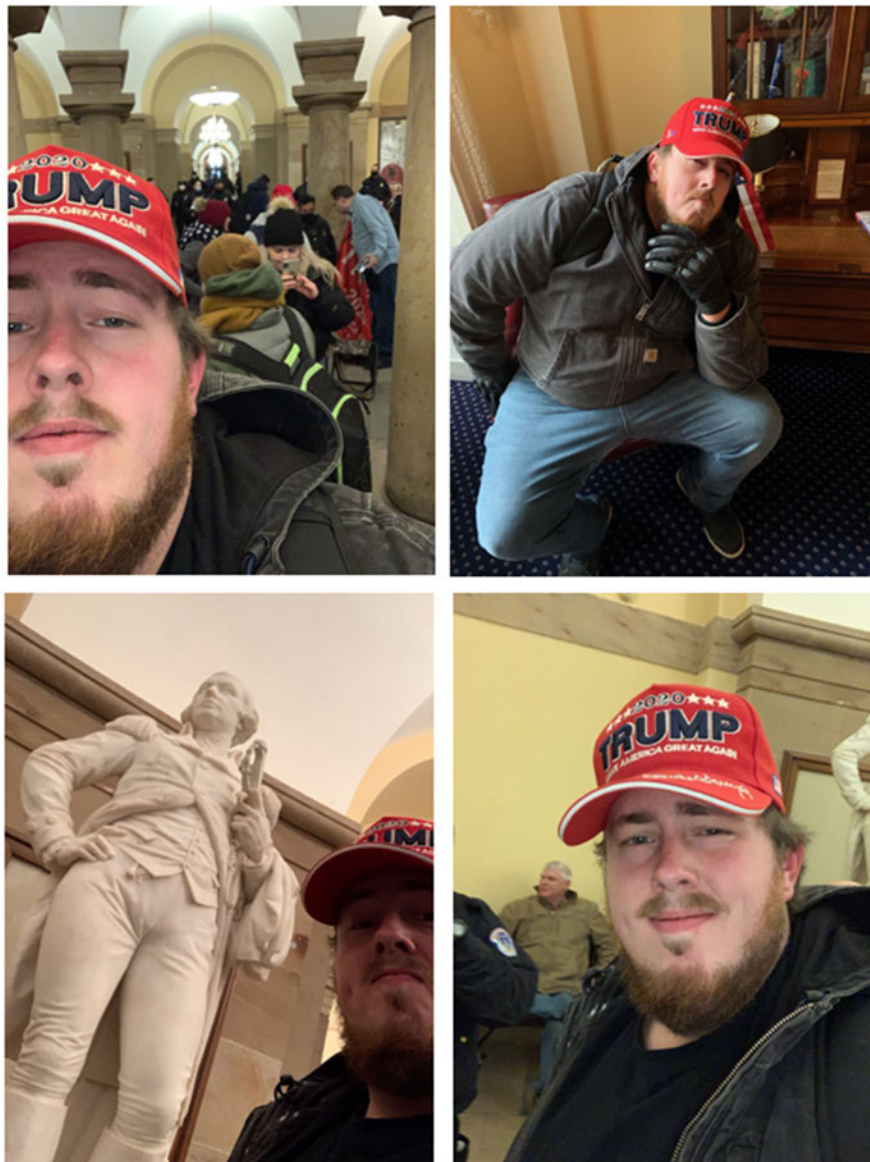
FBI agents interviewed W-3 at W-3’s home. During the interview, W-3 confirmed that JERRY RYALS had travelled to Washington, D.C. with some friends to attend the rally for President Trump on January 6, 2021. W-3 also confirmed JERRY RYALS had entered the U.S. Capitol Building following the rally. RYALS had told this information to W-3.

During the interview, W-3 showed FBI agents two videos on IT’s iPhone that appeared to depict a view outside of the U.S. Capitol Building from the first-person perspective. While watching the first video on W-3’s phone, FBI agents heard a male voice chanting “USA! USA!” W-3 identified the man doing the chanting as JERRY RYALS. In the second video, the person recording was looking at another man inside of the U.S. Capitol building and calling him a “hero.” W-3 stated that the man calling the man in the video a “hero” was not JERRY RYALS. A third video, outside of the United States Capitol Building, sent from JERRY RYALS to W-3 also has a male voice calling someone a hero. W-3 did not comment on whose voice was in the third video.

While W-3 was scrolling through his phone to show agents these videos, an FBI agent noticed numerous photographs that W-3 had received in a text-message string. Those photographs appeared to depict individuals inside the U.S. Capitol Building. W-3 agreed to forward the photographs and videos to the agents. W-3 stated that he had gotten the photographs and videos from JERRY RYALS.

One of the videos is taken from the first-person perspective outside of the U.S. Capitol Building. The video pans to show multiple individuals standing outside the U.S. Capitol and multiple people entering it. The video appears to be from the events on January 6, 2021. In the video, an individual, who appears to be the person taking the video and has a male voice, states, “We definitely have enough people to overthrow this bitch. They don’t stand a f---ing chance. We got the f---ing doors open up there I guess. We’re working our way in slowly but surely.”

A sample of photos that JERRY RYALS had sent to W-3 appear below as Figure 1:



*Figure 1*

W-3 also provided a photograph that showed JERRY RYALS with another individual outside of the U.S. Capitol. The other individual was bald with a goatee. As will be described further below, that man was later identified as ANTHONY ALFRED GRIFFITH. That photograph is produced below as Figure 2:



*Figure 2*

The FBI had become aware of GRIFFITH because on January 8, 2021, another witness (“W-4”) had submitted an online tip to the FBI National Threat Operations Center (NTOC). W-4 had posted a picture of various people inside the Capitol to IT’s Facebook page. The picture was taken from media sources. After W-4 did so, an individual known to W-4 (“W-5”) told W-4 that W-5 recognized one of the people in the photograph. W-5 described IT’s relationship with that individual and provided the individual’s first name. W-4 then realized that IT also knew the man and identified him as ANTHONY GRIFFITH.

On January 15, 2021, GRIFFITH was interviewed at his home by FBI agents. GRIFFITH admitted that he went to Washington, D.C. on January 6, 2021 and that he went to the U.S. Capitol Building on that date with JERRY RYALS and another individual. The three men were part of the crowd that traveled from the rally for Donald Trump in the area of the Washington Monument to the Capitol. GRIFFITH stated that he became separated from RYALS and the other individual outside the U.S. Capitol Building, and that he did not see RYALS or the other individual again until after all three had departed the U.S. Capitol Building.

GRIFFITH stated that he walked up a set of stairs to an entrance to the Capitol. He witnessed multiple people try to break down the door, and some succeeded in breaking windows. He saw a group of police officers inside the building, facing the crowd through the window and holding their shields in front of them. At some point, the doors were opened, and GRIFFITH believed he could enter the U.S. Capitol Building because he thought the Capitol Police were letting people in.

GRIFFITH walked into the U.S. Capitol Building. He did not see any police officers as he entered the building. GRIFFITH stated that he walked through a hallway, entered an office, and interacted with some individuals there. He then walked out of the office, back into the hallway, and exited the building. However, he entered the U.S. Capitol Building again a short time later. He traveled through some of the hallways in the building and took some photographs while inside

of the U.S. Capitol Building. GRIFFITH gave two of those photographs (one inside the U.S. Capitol Building and one outside) to agents. Those photographs are reproduced below as Figures 3 and 4:



*Figure 3*



*Figure 4*

On January 17, 2021, FBI agents interviewed JERRY RYALS at his home. RYALS informed agents that he works for GRIFFITH as an apprentice electrician. RYALS admitted that he, GRIFFITH, and another individual traveled to Washington, D.C. and attended a rally for Donald Trump there on January 6, 2021. RYALS then proceeded to the U.S. Capitol Building and was outside with a large crowd there.

RYALS eventually made it to the doors of the U.S. Capitol Building. He stated that he got pushed up into the hallways inside of the U.S. Capitol Building. However, once inside, he saw there were offices in the hallway, and he went into one. He then exited the office and got pushed back outside by the Capitol Police and the flow of the crowd.

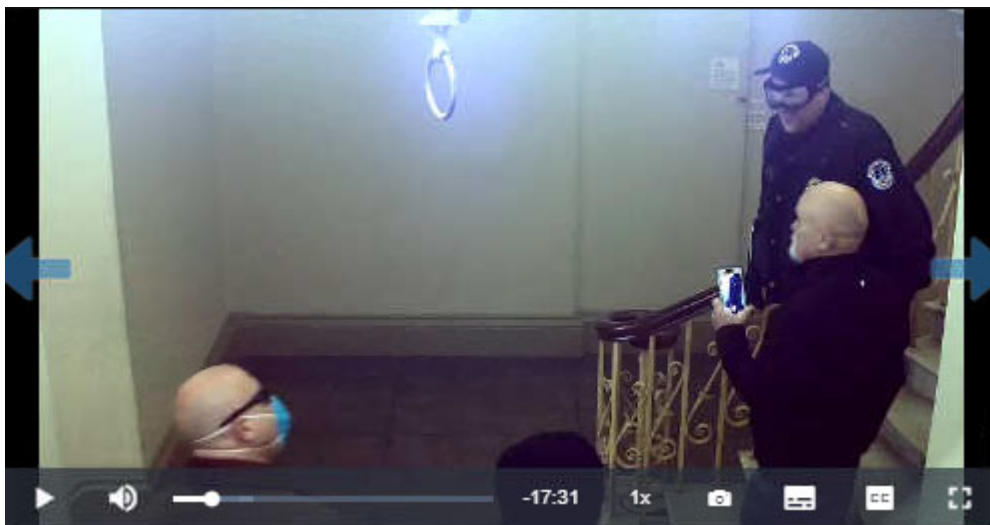
RYALS stated that after he had been outside for about 5-10 minutes, he went back inside the U.S. Capitol Building. He traveled to various points within the U.S. Capitol Building, including hallways, stairs, and the rotunda. At one point, he stated he was in front of a statue of George Washington. Note that in the pictures reproduced above, the individual with the red Trump baseball hat is standing in front of a statue that appears to be of George Washington.

RYALS also stated that he met up with GRIFFITH a few times inside the U.S. Capitol Building. Eventually, RYALS left the U.S. Capitol Building. Once outside, he took a picture of himself and GRIFFITH outside the U.S. Capitol Building. Note that one of the pictures reproduced above appears to show RYALS and GRIFFITH outside of the U.S. Capitol Building.

RYALS estimated he spent less than an hour total inside the U.S. Capitol Building. He confirmed that he took pictures and videos inside and outside of the U.S. Capitol Building.

On January 17, 2021, FBI agents interviewed the individual (“W-6”) who had traveled with JERRY RYALS and GRIFFITH. The interview took place at W-6’s home. W-6 confirmed IT went with GRIFFITH and RYALS to Washington, D.C., in order to attend the rally for Donald Trump on January 6, 2021. W-6 confirmed that he walked with the crowd toward the U.S. Capitol Building following Donald Trump’s speech but did not enter the U.S. Capitol Building on that date. On the night of January 6, 2021, W-6 recalled GRIFFITH saying to W-6, “Maybe I shouldn’t have gone in.”

Agents reviewed additional photo and videos taken inside the U.S. Capitol Building on January 6, 2021 and located GRIFFITH inside the U.S. Capitol Building. GRIFFITH appeared to be wearing a black jacket, blue jeans, had a bald head with white facial hair and was holding what appeared to be a cellphone. See Figures 5, 6, 7, and 8, below.



*Figure 5*



Figure 6

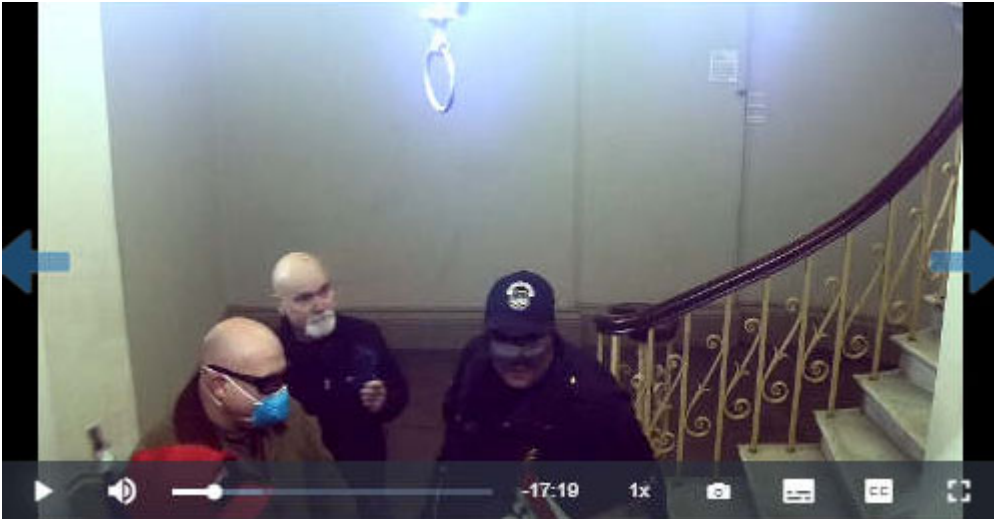


Figure 7



Figure 8

An FBI agent also reviewed additional videos submitted to the Office of Public Affairs tip line. In those videos, the agent observed an individual who appears to be GRIFFITH inside the U.S. Capitol Building. GRIFFITH appeared to be wearing a black jacket, had a bald head with white facial hair. The following are screenshots from those videos:

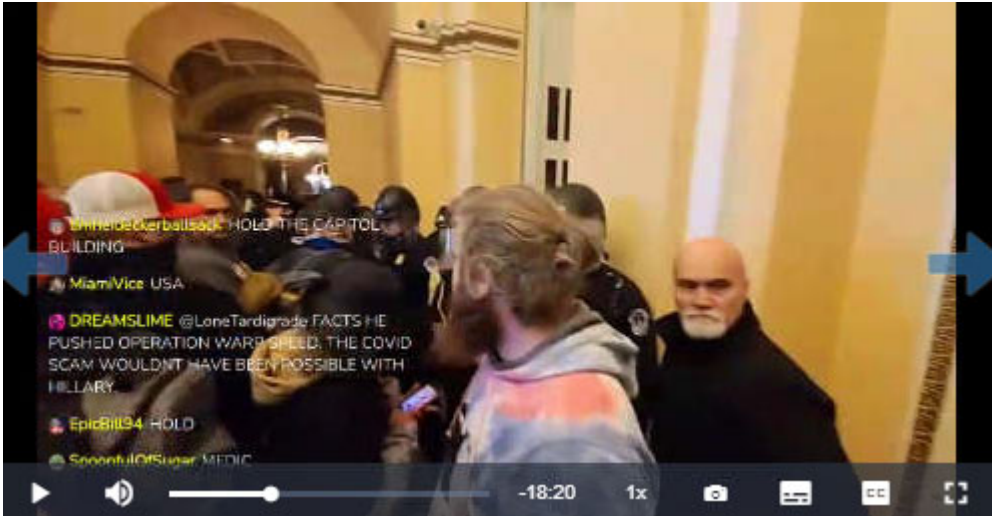


Figure 9





*Figure 10*

The agent reviewed an additional video that was recorded on January 6, 2021, and submitted to the Office of Public Affairs tip line. The video shows a group of people exiting the U.S. Capitol Building through a set of wooden double doors. ANTHONY GRIFFITH and JERRY RYALS appear to be exiting the building through the double doors. RYALS was observed wearing what appeared to be a gray jacket with a black shirt, blue jeans, and a red hat. GRIFFITH was observed wearing a black jacket, had a bald head, and white facial hair. The following are screenshots from that video:

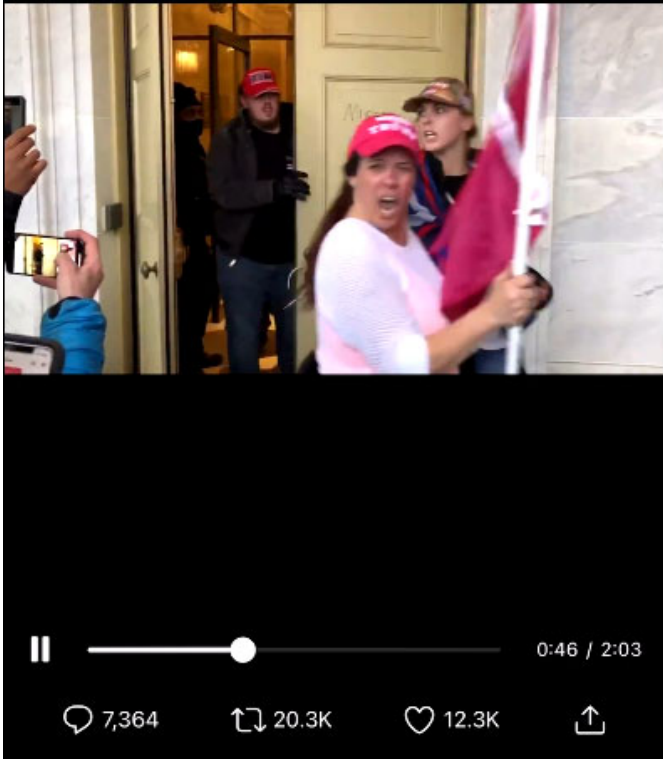


Figure 11

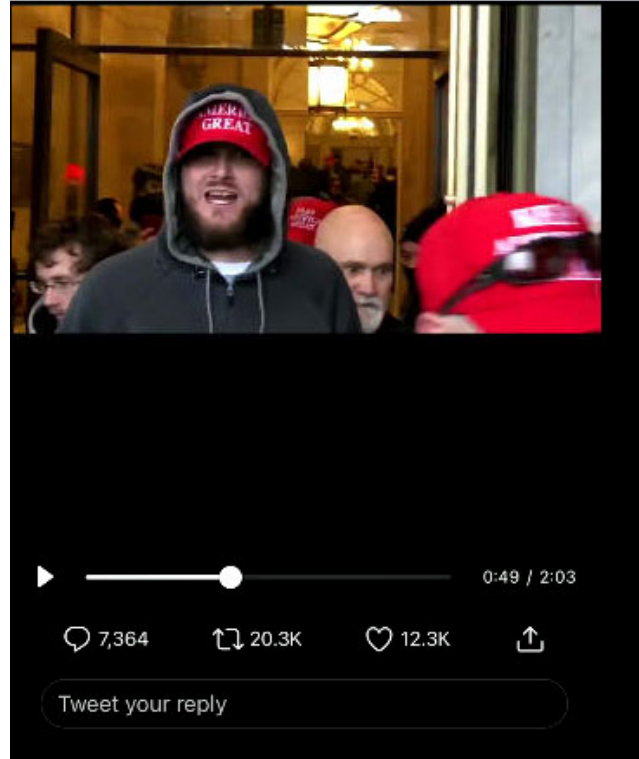


Figure 12

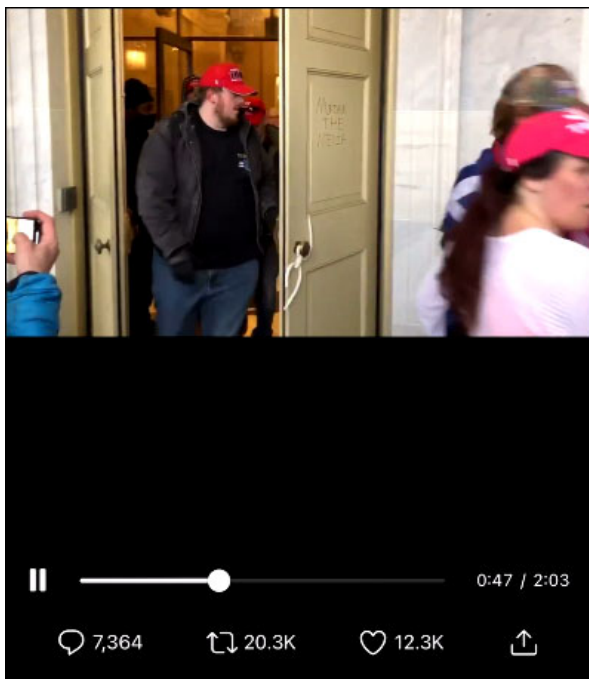


Figure 13

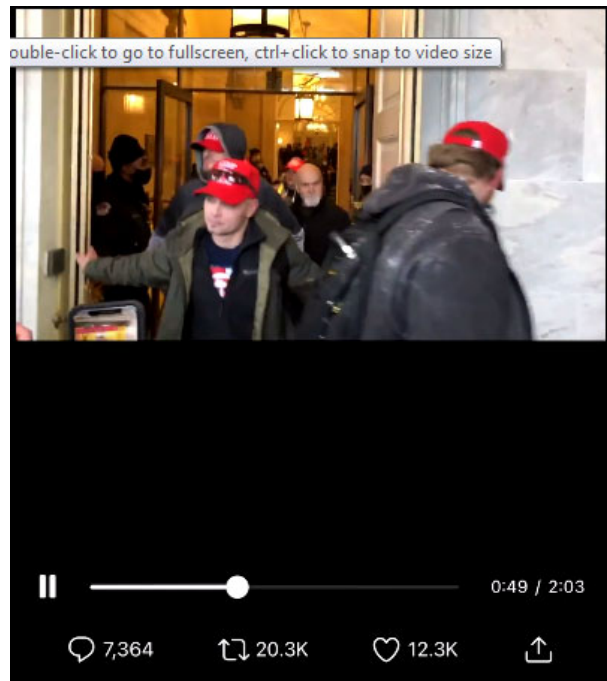


Figure 14

On January 29, 2021, the FBI interviewed a witness (“W-7”) who had gone to high school with JERRY RYALS and has social media ties with him. W-7 stated he can identify RYALS based upon his association with RYALS in high school and based upon their social media association. W-7 provided to the FBI four videos, a photograph, and a long message posted by RYALS on his Facebook Feed on January 6, 2021. Those videos and photograph appear to show the outside of the U.S. Capitol Building on January 6, 2021, and the photograph shows an individual who appears to be RYALS. The photograph and the message are reproduced as Figures 15 and 16 below.



Figure 15

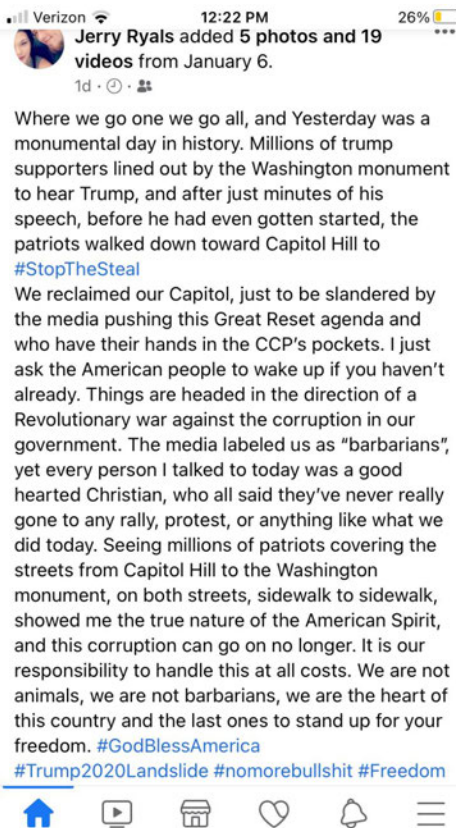


Figure 16

W-7 was shown the four photographs in Figure 1, produced above. W-7 positively identified the person in the photographs as JERRY RYALS. Further, W-7 was shown the screenshot in Figure 13, reproduced above. With regards to the man with the beard, red hat, gray jacket, black shirt, and blue jeans in Figure 13, W-7 stated, “That is him [RYALS]. I am certain.”

FBI agents independently confirmed this identification. A review of the Oklahoma Driver’s License database revealed a driver’s license photograph of JERRY RYALS. A comparison of the photographs shown to W-7 and the Oklahoma Driver’s License for RYALS shows that the two individuals are the same. Further, agents conducted an in-person interview of RYALS, and thus are familiar with what RYALS looks like and can confirm that the person in the photographs is JERRY RYALS.

Agents also showed W-7 the video, acquired from W-3 after JERRY RYALS had sent it to W-3, of an individual outside the U.S. Capitol Building saying, “We definitely have enough people to overthrow this bitch. They don’t stand a f---ing chance. We got the f---ing doors open up there I guess. We’re working our way in slowly but surely.” After agents provided W-7 with this video, W-7 stated that IT listened to it multiple times, and that the voice was “definitely” JERRY RYALS’s voice.

W-7 provided an additional video posted by JERRY RYALS on Facebook in which RYALS states, “They are tear gassing, throwing flash bangs, pepper spray, but we will not concede.” W-7 identified the voice speaking in the video as JERRY RYALS’s voice.

Finally, agents have reviewed the photographs, reproduced above, of the man who appears to be GRIFFITH inside of the U.S. Capitol Building. Agents are familiar with GRIFFITH’s appearance after having interviewed him at close quarters for a significant duration of time, and have confirmed that GRIFFITH is the bald man with the white facial hair depicted in the photographs above.

Based on the foregoing, your affiant submits that there is probable cause to believe that JERRY RYALS 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 JERRY RYALS violated 40 U.S.C. § 5104(e)(2), 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.

Your affiant also submits there is probable cause to believe that JERRY RYALS violated 18 U.S.C. § 1512(c)(2), which makes it a crime to obstruct, influence, or impede any official proceeding, or attempt to do so. Under 18 U.S.C. § 1515, congressional proceedings are official proceedings.

Based on the foregoing, your affiant also submits that there is probable cause to believe that ANTHONY ALFRED GRIFFITH 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 ANTHONY ALFRED GRIFFITH violated 40 U.S.C. § 5104(e)(2), 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.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 22<sup>nd</sup> day of February 2021.

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ZIA M. FARUQUI  
U.S. MAGISTRATE JUDGE